

# ***BEREA MUNICIPAL COURT***

*Mark A. Comstock*  
*Judge*

*Raymond J. Wohl*  
*Clerk of Courts*



## ***ANNUAL REPORT***

### ***2008***

*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*





# Berea Municipal Court

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

March 1, 2009

**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, 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 2008 Berea Municipal Court Annual Report.

## Highlights

2008 was a year that reflected the state of the local and national economy in our Civil Department. The Civil Department had 4,245 new filings compared to 3,802 for 2007, an 11.6% increase, and we believe this trend will continue in 2009.

Our Traffic/Criminal Department results showed an increase in new filings of 2.5% compared to 2007. The overall increase in new filings was accomplished even though 5 of 7 reporting agencies within our jurisdiction had a decrease in new cases filed.

During 2008 the Berea Municipal Court received in excess of \$113,000 for 774 waiver payments through the use of the Court website. The availability of this resource provides convenience to violators saving a trip to Court to make a payment in person. In addition, our website had over 175,000 visits in 2008 with over 2.8 million pages being accessed in those visits.

As in the past, the Court on the Road initiative was continued at Strongsville High School and Midpark 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.

Our economy continues to have a negative impact on our ability to collect fines and costs. In 2008 we continued a semi-monthly hearing schedule specifically for defendants with

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

(440) 826-5860 • Civil Fax: (440) 891-3387 • Traffic/Criminal Fax: (440) 234-2768

outstanding fines and costs. The purpose of these hearing is to allow for regular payments to be made thereby avoiding more serious collection proceedings. Additionally, the Court processed 723 garnishments (35% increase over 2007) and 723 bank attachments (8% increase over 2007) related to civil judgments.

We also welcomed the opportunity to work, in a positive manner, with Mayor Cyril Kleem in his first year as Mayor. His cooperation and leadership led to an easing of the space constraints of the Court by allowing the relocation of our Probation Department and an expansion of our Jury/ Prosecutors Room.

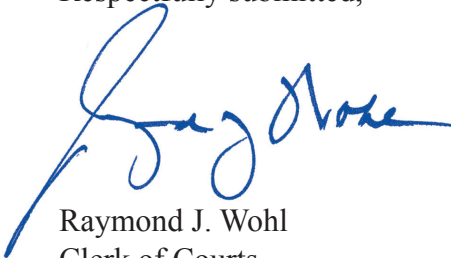
The improved relationship opened the way for a metal detector to be installed at the building entrance and to provide the Clerk's Office and Courtroom greater security. This increase in security provides greater safety for all employees and visitors to the Court and Berea City Hall.

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 job they provided in 2008. 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.

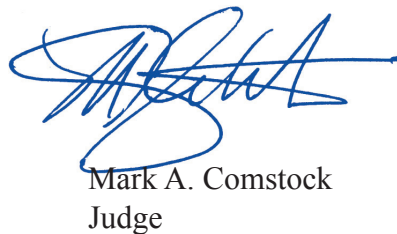
Thank you to Mayor Cyril Kleem, his directors, staff and Berea City Council, Police Chief Mark Schultz and his officers for their support. We appreciate your kindness, the confidence you have in us and your cooperation with us in the administration of the Berea Municipal Court.

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 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 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 – Jim Carr Jim Carroll Karen Straka  
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. Joshua Swindell

**Post 90**

Lt. Chester Engle

**Post 91**

Lt. William Butts

# SECTION ONE

# FINANCIAL

**BEREA MUNICIPAL COURT  
STAFF SERVING DURING 2008**

**MARK A. COMSTOCK**

**Presiding Judge**

Anthony Bialowas	Bailiff
Robert Ferreri	Law Clerk
Ryan Glaze	Magistrate
Christopher Greene	Magistrate/Acting Judge
Matthew Kaczor	Part-time Deputy Bailiff
Paul Kirner	Law Clerk
Paul Kortan	Bailiff
S. Robert E. Lazzaro	Magistrate/Acting Judge
Marisa Mayer	Magistrate
Kenneth Preston	Acting Judge
Bruce Zaccagnini	Magistrate/Acting Judge
Gino Zomparelli	Law Clerk

**Probation Department**

Jenelle Baker	Probation Officer
Stacia Bellini	Judge/Probation Administrative Assistant
Julie Diulus	Part-time Secretary
Denise McCarthy	Chief 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**

Danielle Colonna	Deputy Clerk
Harry Endrulas	Part-time Deputy Clerk
Karen Higgins	Deputy Clerk
Susan Norton	Part-time Deputy Clerk
Sally Peterson	Administrative Assistant - Deputy Clerk
Christina Salvatore	Deputy Clerk
Marybeth Valentine	Deputy Clerk
Joseph Volosyn	Deputy Clerk

**Traffic/Criminal Department**

Denise Bernath	Deputy Clerk
Elizabeth Dittler	Deputy Clerk
DeAnna McKinley	Deputy Clerk
Nancy Modory	Assignment Department Deputy Clerk
Nicole Sidari	Deputy Clerk

## CASH RECEIPTS ALL SOURCES - 2008

TRAFFIC/CRIMINAL ACCOUNT	\$2,456,617	
CIVIL AND SMALL CLAIMS ACCOUNT	1,746,467	
TRUSTEESHIP ACCOUNT	2,466	
BOND ACCOUNT	272,002	
RENT ESCROW ACCOUNT	1,762	
<b>TOTAL RECEIPTS FOR 2008</b>		<b>\$4,479,314</b>

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

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

Traffic/Criminal	\$980,453	
Civil/Small Claims	363,605	
Marriage	3,250	
Poundage (Trustee & Rent Escrow)	43	
Legal Aid Fees	961	
Convenience Fees	27,415	
Dismissals	(3,517)	
<b>Sub-Total</b>		<b>\$1,372,210</b>

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

Fines	\$65,056	
Probation	263,593	
State Highway Patrol	10,253	
Unclaimed Funds	600	
Indigent Drunk Driving School	300	
Indigent DUI Fines	9,747	
Alcohol Education Programs	1,783	
Expungements	0	
Construction Fund	283,105	
Computer Research Funds	42,005	
Computer Maintenance Fees	97,992	
Special Projects Fund	134,704	
Driver Interlock & Alcohol Monitoring SB17	50	
Miscellaneous	2,900	
<b>Sub-Total</b>		<b>\$912,088</b>

**ALL MONIES DISBURSED TO THE CITY OF BEREA** **\$2,284,298**



## OTHER TRAFFIC AND CRIMINAL DISBURSEMENTS

### CUYAHOGA COUNTY

Regular State Cases	\$52,205
Uniform Traffic Cases	101,817
10% State Highway Patrol Cases	13,471
50% Liquor Control Cases	2,079
HSG OMVI	19,979
Olmsted Township Cases	21,896
Cuyahoga Regional Information System	24,777
Crime Stoppers	1,228
Indigent Application Fee	3,608
Expungement Filing Fees	0
Dismissals	(71,815)

### TOTAL CUYAHOGA COUNTY

**\$169,245**

### STATE OF OHIO

45% State Highway Patrol Cases	\$67,245
50% Liquor Control Cases	2,087
Child Safety Restraint Fund	150
Department of National Resources	255
Board of Pharmacy	2,824
General Revenue	93,644
Victims of Crime	56,128
Ohio State Patrol DUI Education	85
Indigent Defense Support Fund	4,295
Indigent Driver Alcohol Treatment	711
State Highway Safety Fund SB17	40
Mandatory Court Costs HB562	1,019
Seat Belt Fines	8,359
Expungement Filing Fees	0
Civil Legal Aid	95,132
Law Library	1,578

### TOTAL STATE OF OHIO

**\$333,552**

### METROPARKS

Fines	\$6,115
Law Enforcement Education	293
Drug Split	75
Dismissals	0

### TOTAL METROPARKS

**\$6,483**

### CITY OF MIDDLEBURG HEIGHTS

Fines	\$46,071
Law Enforcement Education	1,436
Drug Split	0
Expungements	0
Dismissals	(4,915)

### TOTAL MIDDLEBURG HEIGHTS

**\$42,592**

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

**CITY OF STRONGSVILLE**

Fines	\$62,809
Law Enforcement Education	4,037
Drug Split	0
Expungements	0
Dismissals	(3,255)

**TOTAL STRONGSVILLE** **\$63,591**

**CITY OF BROOK PARK**

Fines	\$33,819
Law Enforcement Education	1,725
Drug Split	0
Expungements	0
Dismissals	(1,913)

**TOTAL BROOK PARK** **\$33,631**

**CITY OF OLMSTED FALLS**

Fines	\$8,567
Law Enforcement Education	425
Drug Split	0
Expungements	0
Dismissals	(582)

**TOTAL OLMSTED FALLS** **\$8,410**

**OLMSTED TOWNSHIP**

Fines	\$255
Law Enforcement Education	462
Drug Split	0
Expungements	0
Dismissals	0

**TOTAL OLMSTED TOWNSHIP** **\$717**

**REFUNDS** **\$295,427**

**GARNISHMENT AND BANK ATTACHMENT PAYOUTS** **\$1,423,963**

**CAPITOL RECOVERY FEES \*\*** **\$14,247**

**RETURNED CHECKS** **\$14,493**

**JURY/WITNESS FUND REIMBURSEMENT** **\$0**

**TOTAL DISBURSEMENTS FOR 2008** **\$4,690,649**

\*\*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 2006, 2007, and 2008**

<b>Expenditure</b>	<b>2006 Actual Expense</b>	<b>2007 Actual Expense</b>	<b>2008 Actual Expense</b>
<b>Salaries</b>			
Regular	\$981,743	\$920,649	\$780,734
Overtime	0	0	0
Part-time	105,780	69,974	80,800
<b>Total</b>	<b>\$1,087,523</b>	<b>\$990,623</b>	<b>\$861,534</b>
<b>Benefits</b>			
Workers Compensation	\$49,278	\$44,594	\$33,090
Medicare	14,504	14,883	12,403
PERS	147,020	149,016	151,197
Hospitalization	262,284	253,341	217,256
Hospitalization Reimbursement	(12,705)	(14,213)	(12,672)
Life Insurance	2,144	2,056	1,672
<b>Total</b>	<b>\$462,525</b>	<b>\$449,677</b>	<b>\$402,946</b>
<b>General</b>			
Stationary & Supplies	\$30,382	\$41,942	\$26,802
Membership & Subscriptions	2,978	1,435	1,505
Travel Expense	12,582	9,019	8,382
Contracts	54,029	50,701	99,946
Postage	36,277	40,000	40,000
Special Counsel	0	81,373	27,475
Publications	923	103	244
Motor Vehicle R.M.	0	310	12
Gas & Oil	552	2,871	3,769
Jury & Witness Fees	628	41	1,275
Law Library	102	758	0
Unemployment Compensation	0	0	6,792
Immobilization Expense	0	0	0
State Exam Fee	2,781	3,565	3,276
Other	225	2,356	0
Subcontractor Expense	12,805	1,426	693
<b>TOTAL</b>	<b>\$154,264</b>	<b>\$235,900</b>	<b>\$220,171</b>
<b>COURT TOTAL</b>	<b>\$1,704,312</b>	<b>\$1,676,200</b>	<b>\$1,484,651</b>

SECTION TWO  
CIVIL / SMALL CLAIMS

## CIVIL DIVISION CASE COUNT REPORT

<b>Cases Pending - January 1, 2008</b>		<b>1,424</b>
<b>New Cases Filed - 2008</b>		
Civil	2,850	
Small Claim	776	
Eviction	619	
<b>Sub-Total</b>		<b>4,245</b>
<b>TOTAL</b>		<b>5,669</b>

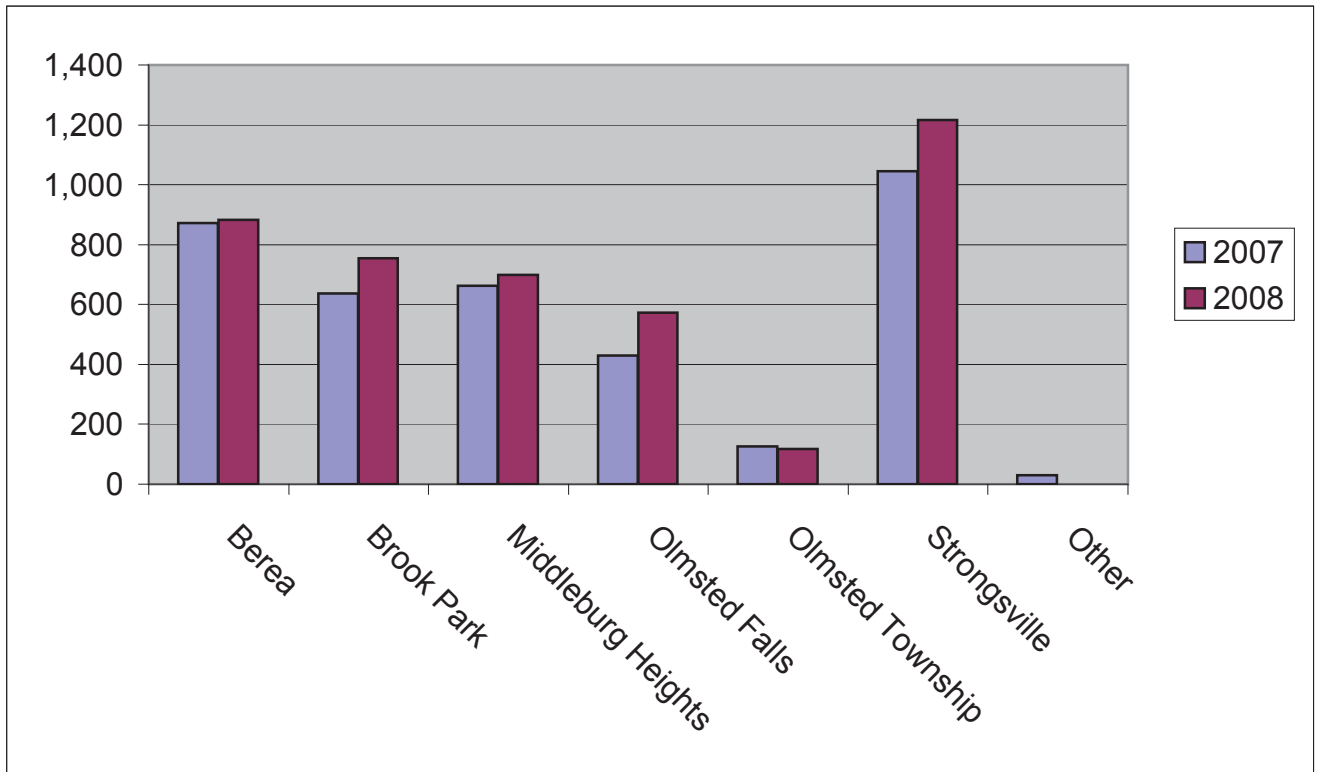
## DISPOSITIONS OF CIVIL CASES BEFORE THE COURT DURING 2008

Default Judgments	2,815	
Dismissals	1,175	
Stayed by Reason of Bankruptcy	145	
Transferred to Other Courts	15	
<b>Total Dispositions</b>		<b>4,150</b>

<b>CASES PENDING - DECEMBER 31, 2008</b>		<b>1,519</b>
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**Civil, Small Claims and Eviction Cases Filed  
2007 vs. 2008 By Municipality**

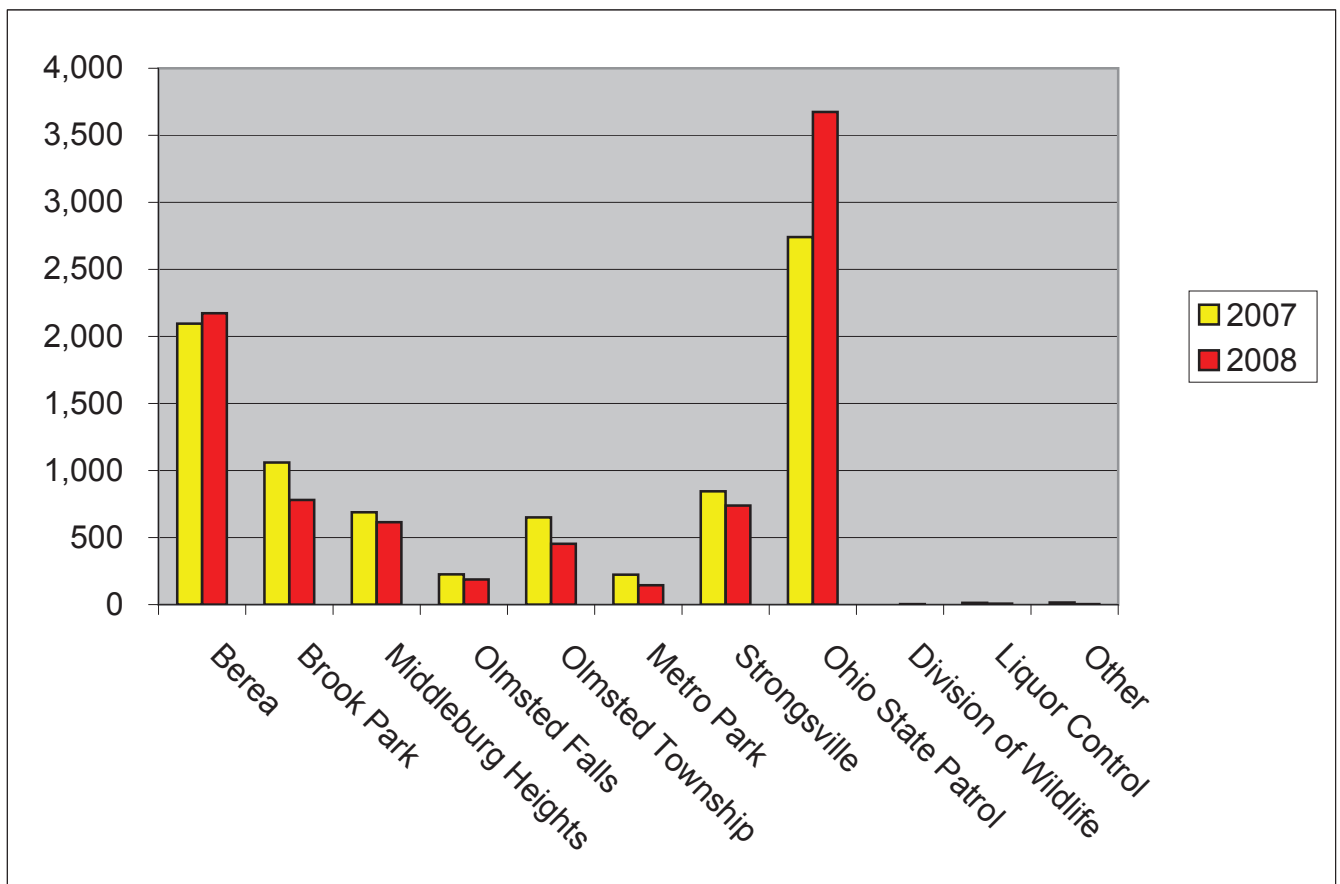
MUNICIPALITY	CIVIL		SMALL CLAIMS		EVICTION		TOTAL	
	2007	2008	2007	2008	2007	2008	2007	2008
<b>Berea</b>	486	550	265	204	120	128	871	882
<b>Brook Park</b>	468	613	44	40	126	102	638	755
<b>Middleburg Heights</b>	369	437	133	148	161	115	663	700
<b>Olmsted Falls</b>	310	421	70	101	49	51	429	573
<b>Olmsted Township</b>	49	43	12	14	65	61	126	118
<b>Strongsville</b>	623	786	272	269	150	162	1,045	1,217
<b>Other</b>	30	0	0	0	0	0	30	0
<b>TOTAL</b>	<b>2,335</b>	<b>2,850</b>	<b>796</b>	<b>776</b>	<b>671</b>	<b>619</b>	<b>3,802</b>	<b>4,245</b>



SECTION THREE  
TRAFFIC / CRIMINAL

**TRAFFIC AND CRIMINAL CASES FILED  
2007 vs. 2008 CASES BY MUNICIPALITY**

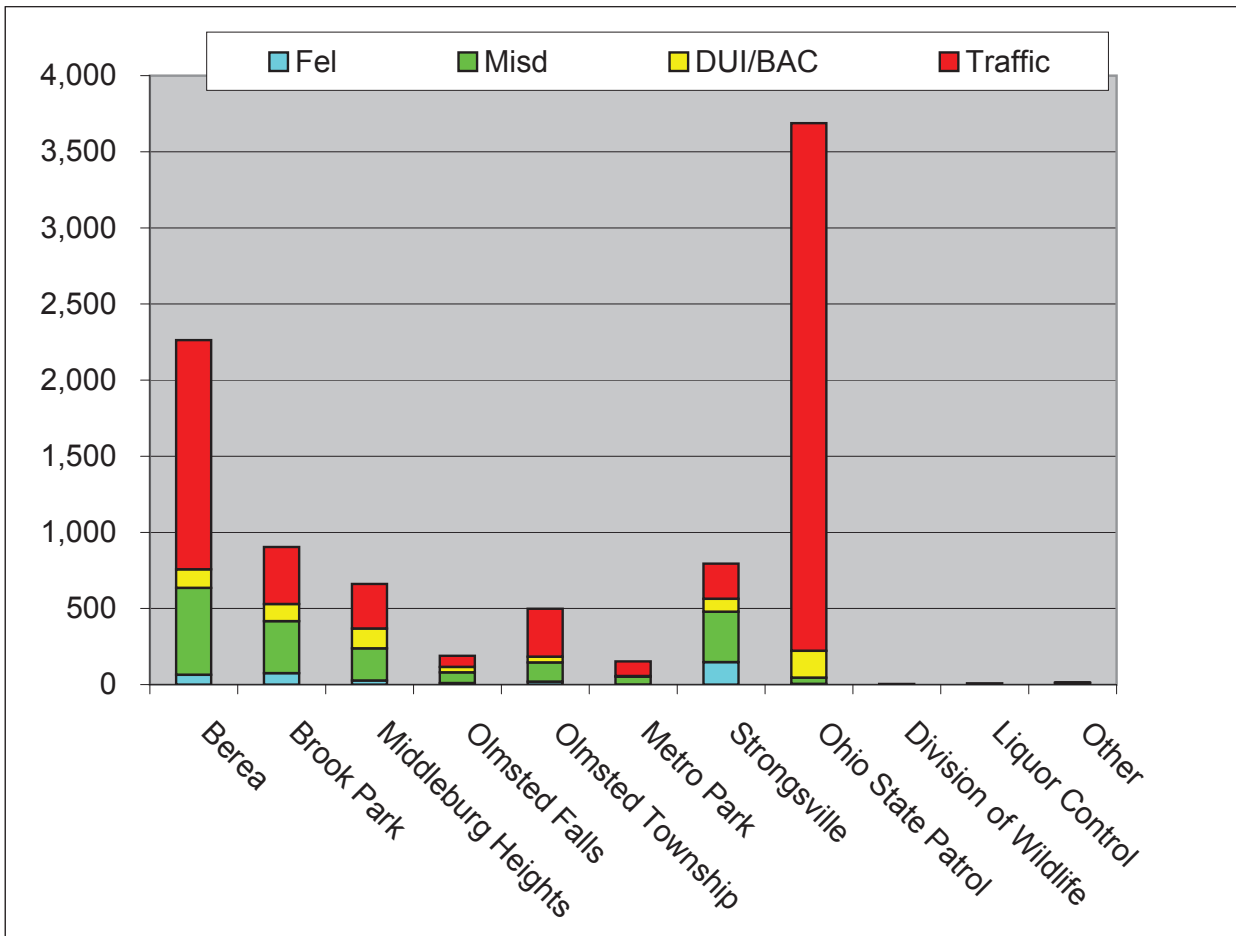
MUNICIPALITY	Criminal				Traffic				TOTALS	
	Felonies		Misdemeanors		DUI / BAC		Uniform Tickets		2007	2008
	2007	2008	2007	2008	2007	2008	2007	2008		
Berea	57	61	507	557	115	113	1,417	1,442	2,096	2,173
Brook Park	80	76	377	339	125	103	478	262	1,060	780
Middleburg Heights	24	26	203	179	152	135	310	275	689	615
Olmsted Falls	14	7	94	80	40	33	78	67	226	187
Olmsted Township	22	17	150	102	35	29	443	305	650	453
Metro Park	1	0	70	49	7	1	145	94	223	144
Strongsville	152	140	359	302	102	86	232	211	845	739
Ohio State Patrol	2	5	36	37	132	211	2,571	3,421	2,741	3,674
Division of Wildlife	0	0	0	4	0	0	0	0	0	4
Liquor Control	0	0	13	7	0	0	0	0	13	7
Other	0	0	14	4	1	0	0	0	15	4
<b>TOTAL</b>	<b>352</b>	<b>332</b>	<b>1,823</b>	<b>1,660</b>	<b>709</b>	<b>711</b>	<b>5,674</b>	<b>6,077</b>	<b>8,558</b>	<b>8,780</b>





## TRAFFIC AND CRIMINAL CASES COMPLETED IN 2008

MUNICIPALITY	Criminal		DUI/BAC	Traffic	Totals by Agency
	Felonies	Misdemeanors			
Berea	64	571	122	1,506	2,263
Brook Park	75	341	113	375	904
Middleburg Heights	26	212	130	293	661
Olmsted Falls	9	71	36	73	189
Olmsted Township	19	126	38	315	498
Metro Park	0	52	4	96	152
Strongsville	147	331	85	232	795
Ohio State Patrol	4	41	177	3,466	3,688
Division of Wildlife	0	4	0	0	4
Liquor Control	0	8	0	0	8
Other	0	11	2	1	14
<b>TOTAL</b>	<b>344</b>	<b>1,768</b>	<b>707</b>	<b>6,357</b>	<b>9,176</b>



**TRAFFIC AND CRIMINAL REPORT - CITY OF BEREA - 2008 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Aggravated Arson	1	Forgery	1
Aggravated Burglary	1	Intimidation/Victim/Witness	2
Aggravated Robbery	2	Obstructing Justice	1
Assault	1	Possessing Criminal Tools	2
Breaking And Entering	2	Rape	1
Burglary	8	Receiving Stolen Property	3
Carrying Concealed Weapons	1	Robbery	1
Complicity	1	Tampering With Evidence	1
Corrupting Another W/Drugs	1	Theft	4
Deception/Obtain Dangerous Drugs	2	Theft W/O Consent	2
Disrupting Public Services	1	Trafficking In Drugs	1
Domestic Violence	6	Unlawful Sexual Conduct W/Minor	1
Drug Abuse	7	Uttering	1
Dui/Alcohol And/Or Drugs	1	Vandalism	1
Felonious Assault	5	Willfully Fleeing And Eluding	2
		<b>TOTAL FELONY CASES</b>	<b>64</b>

**Misdemeanors**

Abandoned Vehicle	4	Nuisance Conditions	1
Aggravated Menacing	4	Obstructing Official Business	7
Alcohol Underage	4	Open Container	11
Allowing Underage Consumption	5	Open Container In Mv	6
Animal At Large	16	Open Container In Public Place	5
Assault	19	Open Container In Vehicle	1
Attempted Child Endangering	1	Open Container W/Operating Vehicle	1
Attempted Complicity	1	Oper. Without Permit	1
Attempted Drug Abuse	1	Passing Bad Checks	1
Audible Noise In M/V	14	Petty Theft	2
Building Reconstruction Not Permitted	4	Possess Drug Abuse Instruments	3
Carrying Concealed Weapons	5	Possessing Criminal Tools	1
Complicity	1	Possession Drug Paraphernalia	9
Consumption In Motor Vehicle	2	Possession Of Marijuana	3
Contributing Delinquency/Child	13	Possession Of Schedule III Drug	1
Criminal Damage And Endangerment	3	Possession Open Container/Mv	1
Criminal Damaging/Endangering	10	Public Indecency	2
Criminal Mischief	1	Purchase Of Alcohol-Underage	5
Criminal Trespass	17	Purchase/Consume/Possess Minor	10
Deception/Obtain Dangerous Drugs	1	Rabies Vaccination Req'd Dog/Cat	1
Discharge Of Fireworks	1	Receiving Stolen Property	4
Disorderly Conduct	87	Resisting Arrest	9
Disorderly Conduct - Fighting	6	Sale To Underage Persons	3
Disorderly Conduct - Intox Persisting	2	Sexual Imposition	1
Disorderly Conduct W Persisting	7	Soliciting	1
Disorderly Conduct- Intoxicated	2	Soliciting Without Permit	1
Disorderly Conduct/Intoxication	3	Telecommunications Harassment	1
Domestic Violence	11	Telephone Harassment	2
Drug Abuse	24	Temporary Protection Order	1
Drug Abuse/Controlled Sub	22	Theft	29
Drug Paraphernalia Offense	28	Theft W/O Consent	1
Exterior Surfaces	12	Underage Consumption	4
Fail To Comply	2	Underage Consumption-Possession Of Alcohol	16
Falsification	13	Underage Possession Of Alcohol	8
Gasoline Theft	1	Unlawful Possession Of Alcohol	1
Grass And Weeds Nuisance	3	Unlawful Restraint	1
Housing Code Viol	1	Unlicensed Dog	3
Leasing Permit Required	8	Violating Protection Order	6
Littering	5	Willfully Fleeing And Eluding	1
Littering From M/V	1	Wrongful Influence Of A Minor	8
Making False Alarms	1	Zoning	3
Menacing	6	Zoning Violation	16
Misconduct At Emergency	1		
Misuse Of Credit Cards	1		
Noise Disturbances Prohib	1		
Noise Disturbance	4		
		<b>TOTAL MISDEMEANOR CASES</b>	<b>571</b>
		<b>TOTAL CRIMINAL CASES</b>	<b>635</b>

**TRAFFIC**

DUI/BAC	122	Uniform Traffic Tickets	1,506
		<b>TOTAL TRAFFIC CASES</b>	<b>1,628</b>

**TOTAL CITY OF BEREA - CASES HEARD AND COMPLETED IN 2008 2,263**

**TRAFFIC AND CRIMINAL REPORT - CITY OF BROOK PARK - 2008 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Aggravated Burglary	2	Forgery	1
Assault	1	Obstructing Justice	2
Attempted Breaking And Entering	2	Passing Bad Checks	2
Breaking And Entering	3	Possession Of Crack Cocaine	4
Burglary	4	Possession Of Drugs	1
Complicity	1	Receiving Stolen Property	5
Disrupting Public Services	1	Robbery	6
Domestic Violence	4	Taking Identity Of Another	1
Drug Abuse	7	Theft	5
Drv W/O Owner Consent	1	Theft W/O Consent	2
Dui Alcohol And Or Drugs	4	Trafficking In Drugs	11
Fail To Comply	1	Weapons Under Disability	1
Felonious Assault	2	Willfully Fleeing And Eluding	1
		<b>TOTAL FELONY CASES FOR 2006</b>	<b>75</b>

**Misdemeanors**

Adult Entertainment/Nudity	1	Fail To Comply	3
Adult-No Touch Law	6	False Information To Officer	2
Aggravated Menacing	3	Falsification	7
Animal At Large	4	Impersonating Police Officer	2
Animal Cruelty	1	Interference With Custody	1
Assault	14	Knife-Blade Exceeds 2.5	1
Attempted	2	Locomotive Obstructing Roadway	39
Attempted Assault	2	Menacing	3
Attempted Contributing	1	Mv Audio-Disturbing Peace	1
Attempted Menacing	1	Obstructing Official Business	3
Attempted Theft	1	Open Container	5
Attempted/Telephone Harassment	1	Passing Bad Checks	2
Barking Dog	1	Petty Theft	1
Carrying Concealed Weapons	2	Possessing Criminal Tools	1
Certificate For Re-Occupancy	1	Possession Of Drugs	1
Complicity To Criminal Damage	1	Possession Of Marijuana	1
Consumption In Motor Vehicle	2	Possession Open Container/Mv	7
Contributing Delinquency/Child	6	Purchase Of Alcohol-Underage	1
Criminal Damage	1	Receiving Stolen Property	1
Criminal Damaging/Endangering	4	Resisting Arrest	5
Criminal Mischief	3	Sale To Underage Persons	1
Criminal Trespass	10	Structural Safety	2
Dis. Conduct	1	Telephone Harassment	9
Dis. Conduct W/ Persisting	3	Temporary Protection Order	1
Disorderly Conduct	50	Theft	16
Disorderly Conduct- Intoxicated	12	Theft By Deception	2
Domestic Violence	20	Theft W/O Consent	12
Drug Abuse	31	Theft-Deprive Owner Of Prop	1
Drug Paraphernalia	1	Underage Consumption	1
Drug Paraphernalia Offense	17	Underage Consumption-Possession Of Alcohol	2
Endangering Children	2	Willfully Fleeing And Eluding	2
		<b>TOTAL MISDEMEANOR CASES</b>	<b>341</b>
		<b>TOTAL CRIMINAL CASES</b>	<b>416</b>

**TRAFFIC**

DUI/BAC	113	Uniform Traffic Tickets	375
		<b>TOTAL TRAFFIC CASES</b>	<b>488</b>

**TOTAL CITY OF BROOK PARK - CASES HEARD AND COMPLETED IN 2008 904**

**TRAFFIC AND CRIMINAL CASES - CITY OF MIDDLEBURG HEIGHTS - 2008 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Aggravated Robbery	1	Rape	1
Aggravated Vehicle Homicide	1	Receiving Stolen Property	1
Assault On A Police Officer	1	Robbery	1
Domestic Violence	2	Theft	10
Drug Abuse	1	Theft W/O Consent	2
Dui Alcohol And Or Drugs	1	Trafficking In Drugs	1
Felonious Assault	1		
Possession Of Cocaine	1		
Possession Of Drugs	1		

**TOTAL FELONY CASES 26**

**Misdemeanors**

Aggravated Menacing	1	Open Container	7
Arson	2	Open Container In Public Place	1
Assault	10	Passing Bad Checks	17
Attempted Theft	3	Petty Theft	6
Consumption In Motor Vehicle	2	Possessing Criminal Tools	2
Criminal Damaging	2	Possession Of Marijuana	2
Criminal Damaging/Endangering	1	Possession Open Container/Mv	5
Criminal Trespass	3	Public Indecency	1
Defrauding Livery Or Hostelry	1	Receiving Stolen Property	4
Dis. Conduct With Persisting	1	Resisting Arrest	2
Disorderly Conduct	15	Soliciting Without Permit	1
Domestic Violence	41	Telephone Harassing	1
Drug Abuse	5	Telephone Harassment	4
Drug Abuse/Possessing Marijuana	2	Temporary Protection Order	1
Drug Paraphernalia	1	Theft	8
Drug Paraphernalia Offense	3	Theft By Deception	2
Duties/Responsibilities	5	Theft W/O Consent	11
Endangering Children	3	Theft-Deprive Owner Of Prop/Svcs	1
Fail To Obtain Permit	2	Underage Consumption-Possession Of Alcohol	1
False Information To Officer	2	Unlicensed Contractor	1
Falsification	2	Vehicular Manslaughter	1
Gasoline Theft	1	Violating Protection Order	7
Menacing	4	Violation Of Zoning	1
Menacing By Stalking	3	Willfully Fleeing And Eluding	1
Noise Ordinance	4	Zoning Violation	1
Obstructing Off. Business	1	Zoning/Building Violation	1
Obstructing Official Business	2		

**TOTAL MISDEMEANOR CASES 212**

**TOTAL CRIMINAL CASES 238**

**TRAFFIC**

DUI/BAC	130	Uniform Traffic Tickets	293
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**TOTAL TRAFFIC CASES 423**

**TOTAL CITY OF MIDDLEBURG HEIGHTS - CASES HEARD AND COMPLETED IN 2008 661**

**TRAFFIC AND CRIMINAL REPORT - CITY OF OLMSTED FALLS - 2008 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Burglary	1	Menacing By Stalking	2
Domestic Violence	3	Theft	1
Felonious Assault	1		
Improper Handling Firearm	1		
		<b>TOTAL FELONY CASES</b>	<b>9</b>

**Misdemeanors**

Alcohol Underage	1	Parking Of Commercial Veh On Residential Lot	1
Assault	1	Passing Bad Checks	1
Consumption In Motor Vehicle	3	Possession Of Drug Paraphernalia	2
Criminal Damaging/Endangering	1	Sales To And Or Use Underage Person	3
Dis. Conduct-Intoxicated-Persisting	1	Telephone Harassment	4
Dis. Conduct With Persisting	1	Theft	3
Disorderly Conduct	5	Theft W/O Consent	2
Disorderly Conduct - Intoxicated	1	Underage Poss Of Alcohol	1
Disorderly Conduct - Persisting	2	Violating Protection Order	1
Disorderly Conduct/Intoxication	12		
Domestic Violence	7		
Drug Abuse	4		
Drug Paraphernalia Offense	2		
Fail To Comply With Subpoena	1		
Fail To Obtain Permit	1		
Failure To Clear Property	1		
Failure To File Tax Return	1		
Imp Handle Firearm In M/V	1		
Locomotive Obstructing Roadway	4		
Open Container	2		
Park Hours/Curfew	1		
		<b>TOTAL MISDEMEANOR CASES</b>	<b>71</b>
		<b>TOTAL CRIMINAL CASES</b>	<b>80</b>

**TRAFFIC**

DUI/BAC	36	Uniform Traffic Tickets	73
		<b>TOTAL TRAFFIC CASES</b>	<b>109</b>
<b>TOTAL CITY OF OLMSTED FALLS - CASES HEARD AND COMPLETED IN 2008</b>			<b>189</b>

**TRAFFIC AND CRIMINAL REPORT - CITY OF STRONGSVILLE - 2008 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Attempted Breaking And Entering	1	Obstructing Justice	1
Attempted Rape	1	Passing Bad Checks	3
Breaking And Entering	4	Possession Of Cocaine	1
Burglary	8	Possession Of Controlled Substance	2
Deception/Obtain Dangerous Drugs	1	Possession Of Drugs	2
Disrupting Public Services	3	Rape	1
Domestic Violence	7	Receiving Stolen Property	16
Drug Abuse	2	Retaliation	1
Dui (3 Or More In 6 Yrs Or 5 Or More In 20 Yrs)	1	Robbery	6
Dui/Alcohol And/Or Drugs	1	Taking Identity Of Another	2
Endangering Children	4	Tampering With Evidence	2
Escape	2	Telecommunications Fraud	1
Fail To Comply	1	Telephone Harassment	1
Failure To Comply	1	Theft	19
Felonious Assault	5	Theft By Deception	2
Forgery	2	Theft W/O Consent	19
Harmful Intoxicants	1	Trafficking In Drugs	10
Illegal Convey/Proh Item To Deten Fac	1	Unauthorized Use Of Motor Vehicle	1
Illegal Drug Document	1	Unauthorized Use Of Property	1
Illegal Mfg Drugs	1	Unlawful Sexual Conduct W/Minor	1
Inducing Panic	1		
Menacing By Stalking	5		
Misuse Of Credit Cards	1		

**TOTAL FELONY CASES 147**

**Misdemeanors**

Aggravated Menacing	8	Labeling	1
Animal At Large	1	Menacing	2
Assault	11	Menacing By Stalking	3
Attempted B&E	1	Misuse Of Credit Cards	1
Attempted Drug Abuse	1	Obstructing Justice	1
Attempted Drug Possession	1	Obstructing Official Business	6
Attempted Escape	1	Open Burning	1
Attempted Forgery	1	Open Container/Motor Vehicle	5
Attempted Misconduct At Emergency	1	Passing Bad Checks	3
Attempted Poss Drugs	1	Permitting Drug Abuse	1
Attempted Theft	3	Petty Theft	6
Attempted Viol. Temp. Protection Order	1	Possess Drug Abuse Instruments	5
Barking/Howling Dog	1	Possession Drugs	1
Compliance With Orders	1	Possession Of Dangerous Drugs	1
Complicity To Theft	1	Prohibitions Concerning Companion Animals	1
Confinement Or Restraint Of Dog	1	Providing False Info To Police	1
Contributing Delinquency/Child	2	Public Indecency	1
Counterfeit Controlled Substance	1	Receiving Stolen Property	4
Criminal Damaging/Endangering	1	Resisting Arrest	5
Criminal Mischief	2	Soliciting W/O A Permit	1
Criminal Trespass	5	Telecommunications Harassment	1
Cruelty To Animals	1	Telephone Harassment	9
Cultivation Of Marijuana	5	Theft	55
Dis. Conduct (Persisting)	22	Theft By Deception	3
Dis. Conduct With Persisting	3	Theft W/O Consent	29
Discharging Firearms	1	Theft-Deprive Owner Of Prop/Svcs	1
Disorderly Conduct	10	Threaten Domestic Violence	1
Disorderly Conduct- Intoxicated	1	Unauth. Access To Computer	2
Domestic Violence	35	Unauthorized Use	4
Drug Abuse	3	Unauthorized Use Of Property	1
Drug Paraphernalia	7	Underage Consumption	2
Drug Paraphernalia Offense	9	Vending Lic. Req.	2
Endangering Children	1	Violating A Duty Of Care	2
Failure To Comply	1	Violating Protection Order	13
Failure To Disclose Information	1	Voyeurism	1
Falsification	6		
Forgery	2		
Improper Use Of 911 System	1		

**TOTAL MISDEMEANOR CASES 331**

**TOTAL CRIMINAL CASES 478**

**TRAFFIC**

DUI/BAC	85	Uniform Traffic Tickets	232
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**TOTAL TRAFFIC CASES 317**

**TOTAL CITY OF STRONGSVILLE CASES - HEARD AND COMPLETED IN 2008 795**

**TRAFFIC AND CRIMINAL CASES - OLMSTED TOWNSHIP - 2008 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Abduction	1	Sexual Battery	1
Aggravated Burglary	1	Theft	1
Assault	1	Theft W/O Consent	1
Burglary	1	Trafficking In Drugs	2
Disrupting Public Services	1	Unlawful Sexual Conduct W/Minor	1
Domestic Violence	4	Vandalism	1
Intimidation Of Police Officer	1	Weapons Under Disability	1
Possession Of Cocaine	1		

**TOTAL FELONY CASES 19**

**Misdemeanors**

Aggravated Menacing	2	Passing Bad Checks	1
Assault	3	Possess Drug Abuse Instruments	1
Attempted Fail To Comply	1	Possess Marijuana	1
Criminal Damaging/Endangering	1	Possession Of Drugs	1
Cruelty To Animals	1	Possession Of Marijuana	2
Dis. Conduct With Persisting	6	Possession Open Container/Mv	1
Dis. Conduct (Persisting)	4	Sale To Underage Persons	1
Disorderly Conduct	22	Sexual Imposition	1
Disorderly Conduct- Intoxicated	10	Telephone Harassment	2
Dog(S) At Large	3	Theft	1
Domestic Violence	18	Underage Consumption-Possession Of Alcohol	7
Drug Abuse	2	Underage Possession Of Alcohol	1
Drug Paraphernalia Offense	13	Vicious Dogs	1
Endangering Children	1	Violating Protection Order	5
Fail To Comply	1	Willfully Fleeing And Eluding	1
Falsification	1		
Harmful Intoxicants	1		
Menacing By Stalking	1		
Obstructing Official Business	1		
Open Container	5		
Open Container In Mv	2		

**TOTAL MISDEMEANOR CASES 126**

**TOTAL CRIMINAL CASES 145**

**TRAFFIC**

DUI/BAC	38	Uniform Traffic Tickets	315
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**TOTAL TRAFFIC CASES 353**

**TOTAL OLMSTED TOWNSHIP CASES - HEARD AND COMPLETED IN 2008 498**

**TRAFFIC AND CRIMINAL REPORT- OHIO STATE PATROL - 2008 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Aggravated Vehicle Homicide	1	Receiving Stolen Property	1
Dui/Alcohol And/Or Drugs	1	Willfully Fleeing And Eluding	1
		<b>TOTAL FELONY CASES</b>	<b>4</b>

**Misdemeanors**

Dis. Conduct (Persisting)	1	O.L. Falsification	1
Disorderly Conduct	4	Obstructing Official Business	1
Drug Abuse	7	Open Container	1
Drug Paraphernalia Offense	14	Possession Of Marijuana	1
Endangering Children	1	Possession Open Container/Mv	2
False Information To Officer	1	Theft	1
Intox Pedestrian On Pub Highway	1	Underage Consumption-Possession Of Alcohol	4
Littering	1		
		<b>TOTAL MISDEMEANOR CASES</b>	<b>41</b>
		<b>TOTAL CRIMINAL CASES</b>	<b>45</b>

**TRAFFIC**

DUI/BAC	177	Uniform Traffic Tickets	3,466
		<b>TOTAL TRAFFIC CASES</b>	<b>3,643</b>
<b>TOTAL OHIO STATE PATROL - CASES HEARD AND COMPLETED IN 2008</b>			<b>3,688</b>



**TRAFFIC AND CRIMINAL REPORT - METROPARKS - 2008 COMPLETED CASES**

**CRIMINAL**

**Felonies**

**TOTAL FELONIES**

**0**

**Misdemeanors**

After Hours	6
Attempt Obstructing Official Business	1
Attempted	2
Camp Or Sleep Wo Permit	1
Disorderly Conduct	3
Dogs At Large	2
Drug Abuse	9
Drug Paraphernalia Offense	5
Endangering Children	2
Fail To Comply	1
Falsification	1
Littering	1

No Bikes Permitted On Bridal Trail	1
Possession Of Alcohol	4
Possession Of Marijuana	2
Public Indecency	6
Solicitation Of Sexual Activity	1
Soliciting Rides; Outside Vehicle	1
Underage Consumption-Possession Of Alcohol	1
Vehicular Manslaughter	1
Wild Animal Violation	1

**TOTAL MISDEMEANOR CASES**

**52**

**TOTAL CRIMINAL CASES**

**52**

**TRAFFIC**

DUI/BAC	4
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Uniform Traffic Tickets	96
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**TOTAL TRAFFIC CASES**

**100**

**TOTAL METRO PARKS - CASES HEARD AND COMPLETED IN 2008**

**152**

**TRAFFIC AND CRIMINAL REPORT- OHIO DIVISION OF WILDLIFE - 2008 COMPLETED CASES**

**CRIMINAL**

**Felonies**

**TOTAL FELONIES**

**0**

**MISDEMEANORS**

Fishing Without License	1
Wild Animal Violation	3

**TOTAL MISDEMEANOR CASES**

**4**

**TOTAL CRIMINAL CASES**

**4**

**TRAFFIC**

DUI/BAC	0
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Uniform Traffic Tickets	0
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**TOTAL TRAFFIC CASES**

**0**

**TOTAL OHIO DIVISION OF WILDLIFE - CASES HEARD AND COMPLETED IN 2008**

**4**

**TRAFFIC AND CRIMINAL REPORT-OHIO DEPARTMENT OF LIQUOR CONTROL - 2008 COMPLETED CASES**

**CRIMINAL**

**Felonies**

**TOTAL FELONIES**

**0**

**Misdemeanors**

Consumption In Motor Vehicle	1
Dis. Conduct (Persisting)	1
Disorderly Conduct	1

Furnish Beer To Underage Person	2
Sale To Underage Persons	2
Underage Consumption-Possession Of Alcohol	1

**TOTAL MISDEMEANOR CASES**

**8**

**TRAFFIC**

DUI/BAC	0
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Uniform Traffic Tickets	0
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**TOTAL TRAFFIC CASES**

**0**

**TOTAL CRIMINAL CASES**

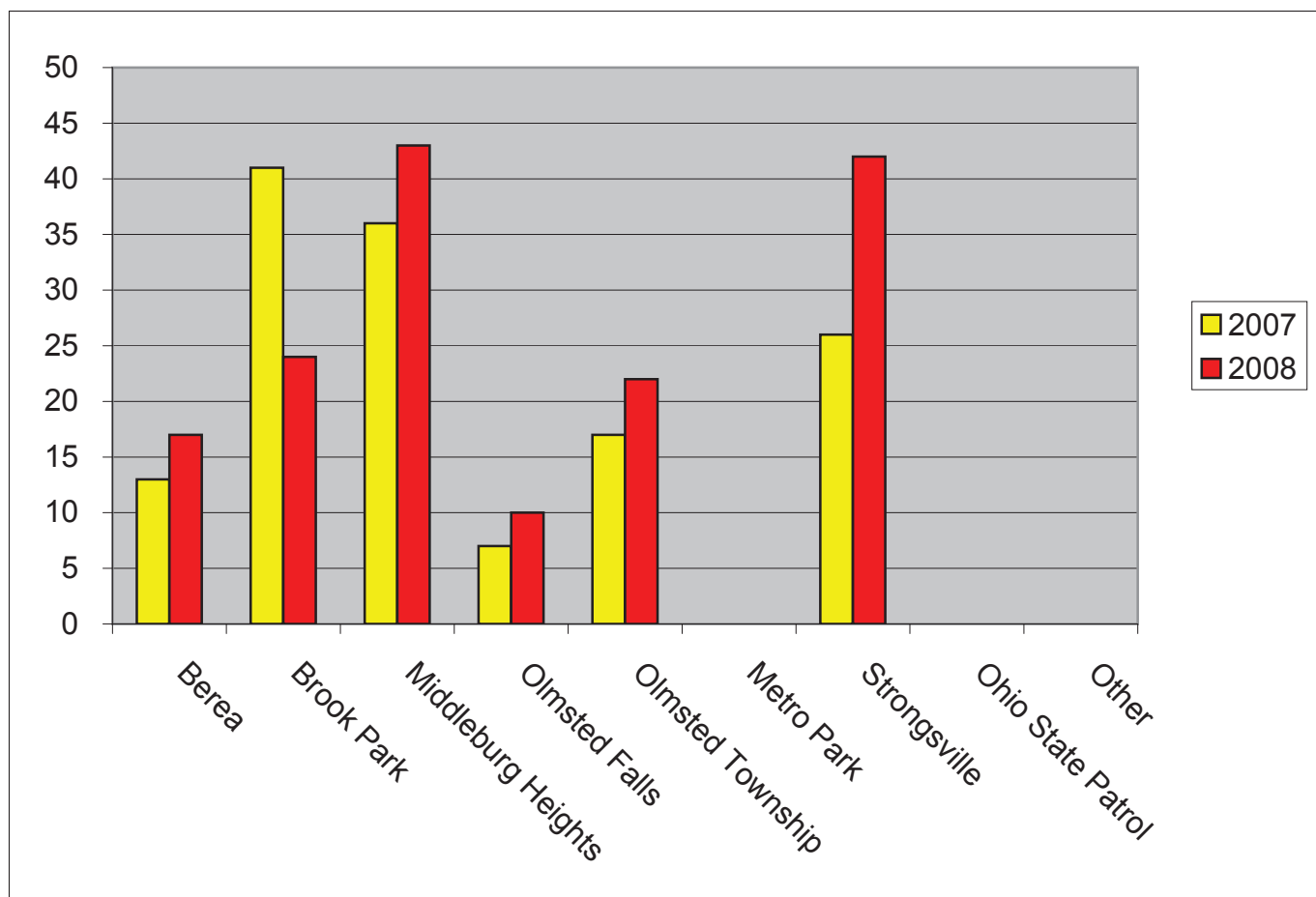
**8**

**TOTAL OHIO DEPARTMENT OF LIQUOR CONTROL - CASES HEARD AND COMPLETED IN 2008**

**8**

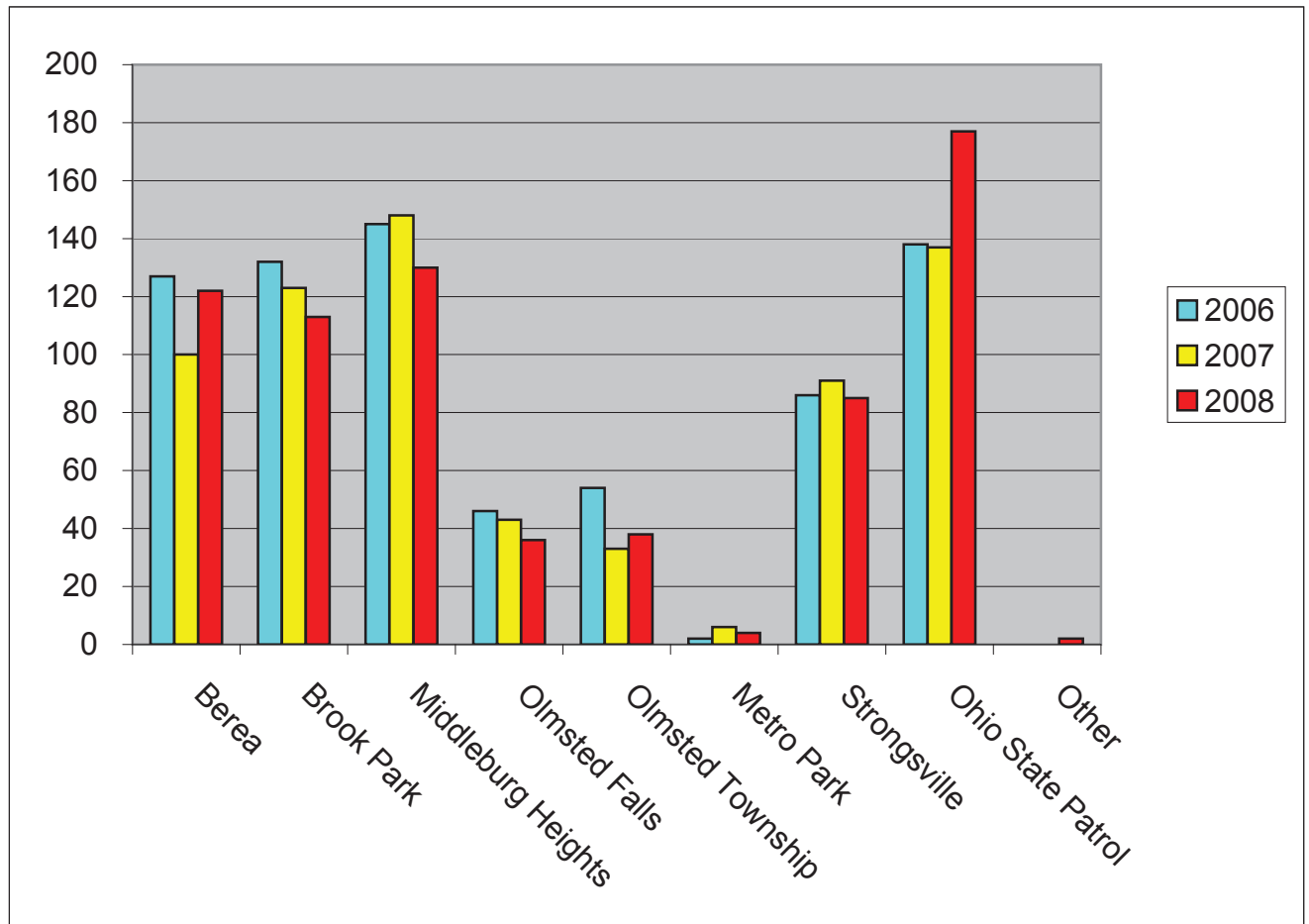
**DOMESTIC VIOLENCE CASES COMPLETED  
2007 vs. 2008 BY MUNICIPALITY**

MUNICIPALITY	Felonies		Misdemeanors		TOTALS	
	2007	2008	2007	2008	2007	2008
Berea	2	6	11	11	13	17
Brook Park	9	4	32	20	41	24
Middleburg Heights	1	2	35	41	36	43
Olmsted Falls	2	3	5	7	7	10
Olmsted Township	6	4	11	18	17	22
Metro Park	0	0	0	0	0	0
Strongsville	2	7	24	35	26	42
Ohio State Patrol	0	0	0	0	0	0
Other	0	0	0	0	0	0
<b>TOTAL</b>	<b>22</b>	<b>26</b>	<b>118</b>	<b>132</b>	<b>140</b>	<b>158</b>



**DUI / BAC CASES COMPLETED  
COMPARISON OF 2006, 2007 and 2008 BY MUNICIPALITY**

MUNICIPALITY	2006	2007	2008
Berea	127	100	122
Brook Park	132	123	113
Middleburg Heights	145	148	130
Olmsted Falls	46	43	36
Olmsted Township	54	33	38
Metro Park	2	6	4
Strongsville	86	91	85
Ohio State Patrol	138	137	177
Other	0	0	2
<b>TOTAL</b>	<b>730</b>	<b>681</b>	<b>707</b>



SECTION FOUR  
JURY COMMISSION

**2008 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		19
Jurors Served	262	
Jurors Excused	201	
Jurors Released - Cases Settled	299	
Jurors Summoned		762

**JURY TRIALS CANCELLED**

8

**JURY TRIAL RECAP**

Traffic/Criminal Cases Heard		7
Finding of Guilty	1	
Finding of Not Guilty	1	
Plea Prior to Trial	5	
Civil Cases Heard		1
TOTAL CASES DECIDED BY JURY		8

SECTION FIVE  
COMMUNITY  
CONTROL

## 2008 COMMUNITY CONTROL SANCTIONS REPORT

The Community Control Department continues to maintain a staff of three 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.

The Community Control Officers supervised, as directed by the Court, approximately 1976 defendants during 2008. Approximately 1,201 of those defendants were drug and/or alcohol offenses and 785 were supervised from driving under suspension offenses. Approximately 245 defendants were supervised for theft and other property related offenses and 389 were for domestic violence and other violent crimes. Often the defendants are charged with multiple crimes and are placed on probation for these offenses.

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 2008, the Probation Department has seen an increase in the number of 72 hour Driver Intervention Programs. The Probation Department has also increased the usage of the Mothers Against Drunk Driving (MADD) Driver Awareness Sessions.

The Driving Under Suspension (DUS) diversion program continues to assist defendants in getting their driver's license reinstated. This year approximately 113 defendants reinstated their license with help of the program. The First Offender Diversion Program also saw an increase in referrals with approximately 57 defendants taking advantage of the opportunity to amend their behavior and avoid having a criminal conviction on their record. As part of the First Offenders 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 the local non-profit agencies.

The Berea Municipal Court continues to be one of the locations for the Mother's Against Drunk Driving 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 for each tier and the proceeds go directly to MADD to assist victims of alcohol related driving offenses. Approximately 366 defendants were referred to the MADD Driver Awareness Sessions.

## 2008 Community Control Department Report

<b>Alcohol/Drug Rehabilitation Centers</b>	<b>Defendants Placed</b>
ADDS / SOLUTIONS	5
Bridgeway	2
Community Assessment & Treatment Services	2
Cleveland Clinic	0
Edna House	2
Free Clinic	2
Glenbeigh	5
Kaiser	2
LACADA (Lorain County Alcohol & Drug Abuse Services)	1
Laurelwood/Windsor	3
McIntyre Clinic	5
Metro General Alcohol Center	1
Oakview	14
Psychiatric Services	3
Recovery Resources	6
Rosery Hall	1
Serenity Hall/St. John West Shore	0
Terrence Kelleman Counseling	14
Veterans Administration Hospital	0
Y Haven	1
Miscellaneous Treatment Centers	3

<b>Halfway Houses for Recovering Alcoholics</b>	<b>Defendants Placed</b>
Ed Keating Center	7

<b>Psychological/Psychiatric Counseling from Various Agencies or Single Practitioners</b>	<b>Referred</b>	<b>Completed</b>
DOVE (Domestic Violence Education & Intervention)	59	29
AMAC (Anger Management & Aggression Control)	52	38
SIP ( Shoplifting Intervention)	34	22
PEGS (Parenting, Education & Group Support)	10	4
Anger Assessment	14	9

<b>DUS/DIVERSION PROGRAM as of 12/31/08</b>	<b>Referred</b>	<b>Completed</b>	<b>Failed</b>	<b>Pending</b>
	176	113	33	30

<b>FIRST OFFENDERS PROGRAM as of 12/31/08</b>	<b>Referred</b>	<b>Completed</b>	<b>Failed</b>	<b>Pending</b>
	83	57	1	25