

# 2019 ANNUAL REPORT



## SIDNEY MUNICIPAL COURT

**Gary J. Carter  
Judge**

**Tony Kremer  
Clerk/Court Administrator**

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## Sidney Municipal Court

### Court Location

110 W Court Street  
Sidney, OH 45365  
Tele. 937-498-0011

### Mailing Address

201 W. Poplar Street  
Sidney, OH 45365  
Fax 937-498-8179

**Gary J. Carter**  
*Judge*

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March 2020

Mayor and Members of Sidney City Council  
201 West Poplar Street  
Sidney, OH 45365

Shelby County Commissioners  
129 East Court Street  
Suite 100  
Sidney, OH 45365

Dear Public Officials:

I am pleased to submit the 2019 Annual Report for the Sidney Municipal Court.

The year 2019 was another busy year for the Sidney Municipal Court. The Court's Justice Reinvestment and Incentive Grant (JRIG) and Community Corrections Act (CCA) grants were renewed for another two years, totaling \$481,480.00 and \$155,736 respectively over the two year grant period. The Court processed 8,582 cases and experienced several staff changes and additions.

The JRIG grant allowed the Court to implement the Pretrial Release Program to identify defendants who are appropriate for pretrial release from jail on bond. The goal of the Program is to reduce or eliminate the time offenders spend in jail by changing their behaviors. In 2019, 305 inmates were eligible to be interviewed for the Pretrial Release Program. The Court's Pretrial Services Officer conducted 272 interviews while the remaining 33 inmates were not available for interview because they either declined the interview or had a medical condition preventing them from interviewing. Of the 272 inmates interviewed, 75 of them were given an own-recognition bond.

It has been our goal to file fewer community control violations by offering

more referrals to community partners for programming and also by offering programming in-house. With our new programs we were able to decrease community control violations from nearly 250 in prior years to 187 in 2019. In place of a community control violation, 203 people were placed in counseling and treatment programs such as alcohol and drug, anger management, and parenting classes. To assist in the community's fight against the opioid epidemic, we referred 38 offenders to the Medically Assisted Treatment Program (MAT Program).

The Court processed 5,370 traffic cases, 1,179 criminal cases, and 2,033 civil cases for a total of 8,582 cases in 2019. The Probation Department performed 698 drug tests, conducted 193 pre-sentence investigations, and initiated 753 new probation cases. The Bailiffs served 988 papers, transported 709 prisoners, and the Court held video arraignment for 425 prisoners.

During 2019, 162 individuals entered the Court's License Intervention Program. The Program had a 73% successful completion rate which resulted in 119 valid and properly insured drivers on the roads.

In 2019, the Court collected \$2,594,278 in receipts. In addition \$7,520 was provided by offenders to the City and County through the Court's Alternative Service Program. This program allows those who qualify to account for their fines and costs even when they do not earn sufficient income to pay what they owe by performing community service to local organizations and non-profit agencies.

The Court distributed \$19,479 in restitution to victims of crime and distributed garnishment monies in the amount of \$1,155,184 to various creditors.

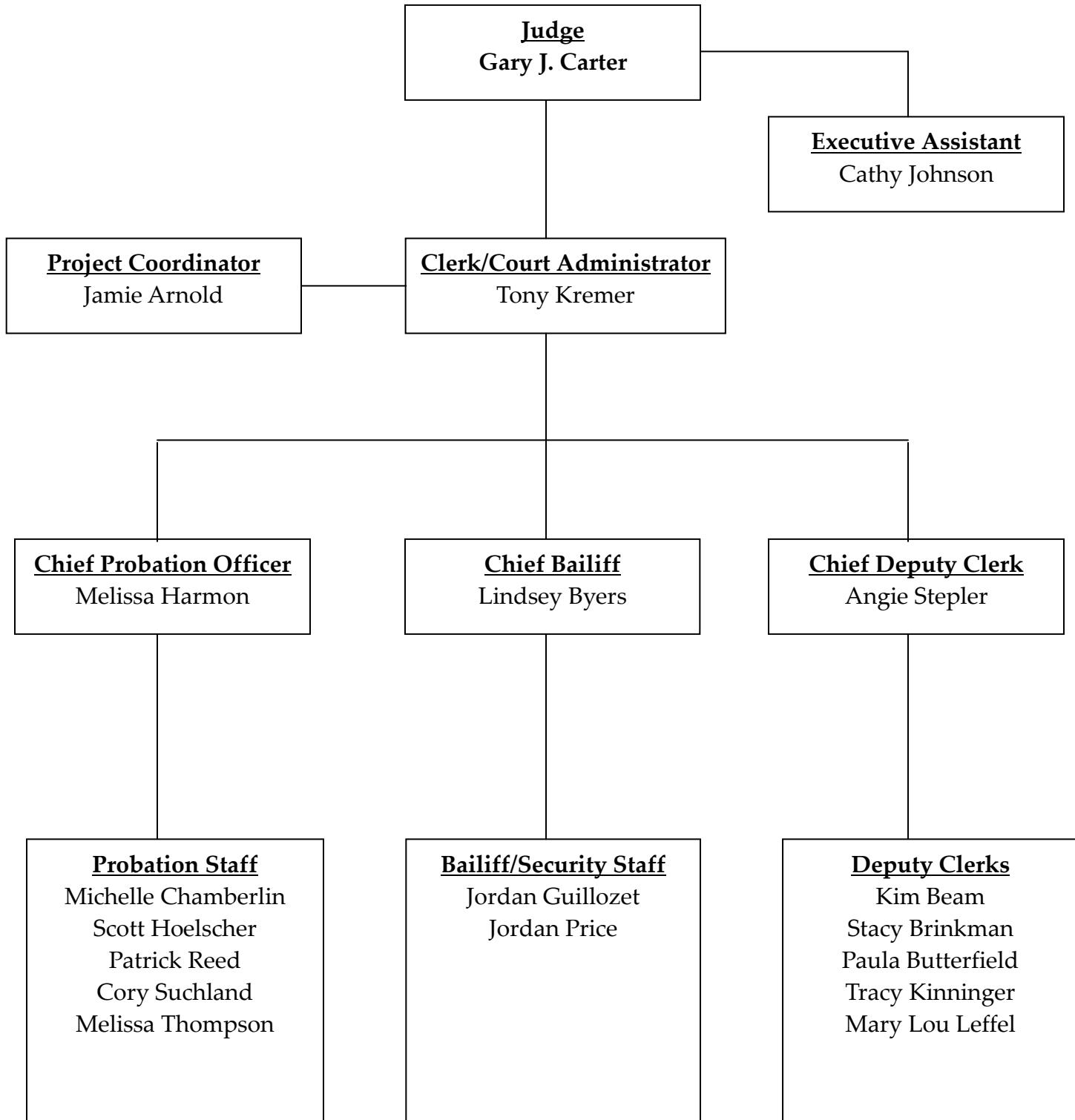
Lastly, the Court experienced several staff changes throughout 2019: three new employees were hired to fill vacant positions: Jamie Arnold as Project Manager, Cory Suchland as Probation Officer, and Patrick Reed as Probation Officer. Tony Kremer was sworn in as Clerk/Court Administrator at the beginning of October when his predecessor Bonnie Gold retired. Former Judge Goettemoeller retired at the end of the 2019 and I began my term effective January 1, 2020.

Respectfully submitted,



Gary J. Carter  
Judge  
Sidney Municipal Court

# Organizational Chart



## Changes in Assets and Liabilities for year ending December 31, 2019

	TRAFFIC AND CRIMINAL	CIVIL AND SMALL CLAIMS	OTHER	TOTAL
<b>ASSETS</b>				
Cash 1-1-19	\$ 142,972.66	\$ 87,602.31	\$ 0.00	\$ 230,574.97
Additions	\$ 1,060,708.41	\$ 1,541,372.11	0.00	\$ 2,602,080.52
Reductions	\$ 1,057,688.51	\$ 1,536,589.10	0.00	\$ 2,594,277.61
Cash 12-31-19	\$ 145,992.56	\$ 92,385.32	\$ 0.00	\$ 238,377.88
<b>TOTAL ASSETS</b>	<b>\$ 145,992.56</b>	<b>\$ 92,385.32</b>	<b>\$ 0.00</b>	<b>\$ 238,377.88</b>
<b>LIABILITIES</b>				
Escrow bonds & deposits 1-1-19	\$72,336.41	\$49,131.00	\$0.00	\$121,467.41
Additions	128,640.18	1,178,815.08	0.00	1,307,455.26
Reductions	121,540.36	1,174,079.73	0.00	1,295,620.09
Escrow bonds & deposits 12-31-19	\$79,436.23	\$53,866.35	\$0.00	\$133,302.58
Payable to other govt's 1-1-19	70,636.25	38,471.31	0.00	109,107.56
Additions	932,068.23	362,557.03	0.00	1,294,625.26
Reductions	936,148.15	362,509.37	0.00	1,298,657.52
Payable to other govt's 12-31-19	\$66,556.33	\$38,518.97	\$0.00	\$105,075.30
<b>TOTAL LIABILITIES</b>	<b>\$145,992.56</b>	<b>\$92,385.32</b>	<b>\$0.00</b>	<b>\$238,377.88</b>

# Trial Balance for year ending

## December 31, 2019

	FINAL 2018	DR/(CR)	FINAL 2019
<b>Assets Cash</b>	\$230,574.97	\$7,802.91	\$238,377.88
<b>LIABILITIES</b>			
Civil/Small Claims Open Items	51,733.24	2,133.11	53,866.35
Bonds Open Items	69,734.17	9,702.06	79,436.23
Trusteeship Open Items	0.00	0.00	0.00
Payable to Government Agencies	109,107.56	(4,032.26)	105,075.30
<b>TOTAL LIABILITIES</b>	<b>\$230,574.97</b>	<b>\$7,802.91</b>	<b>\$238,377.88</b>
<b>RECEIPTS</b>			
Criminal/Bonds	\$1,108,054.74	\$ 1,060,708.41	
Civil/Small Claims	1,326,468.25		1,541,372.11
Trusteeship	0.00		0.00
Landlord/Tenant	0.00		0.00
<b>TOTAL RECEIPTS</b>	<b>\$2,434,522.99</b>		<b>\$2,602,080.52</b>
<b>DISBURSEMENTS</b>			
Criminal/Bonds	\$1,117,423.45	\$ 1,057,688.51	
Civil/Small Claims	1,318,861.68		1,536,589.10
Trusteeship	0.00		0.00
Landlord/Tenant	0.00		0.00
<b>TOTAL DISBURSEMENTS</b>	<b>\$2,436,285.13</b>		<b>\$ 2,594,277.61</b>
Receipts Over/Under Disbursements	(\$1,762.14)		\$7,802.91
Beginning Cash/Change	232,337.11		230,574.97
Cash/Change	0.00		0.00
<b>Ending Cash</b>	<b>\$230,574.97</b>		<b>\$238,377.88</b>

## Accounts Receivable Comparison

	2019	2018
<b>PAID TO CITY OF SIDNEY</b>		
Computer Research Fund	42,680.57	44,068.43
City Fines/Forfeitures	32,580.00	34,298.95
Court Costs	241,477.15	266,374.40
40% Ohio State Highway Patrol	38,770.17	44,104.01
Witness and Jury Fees	14.00	32.00
Indigent Alcohol Treatment Fund	9,302.00	10,839.09
DUI Enforcement/Education Fund	1,635.00	1,343.00
Civil Costs	242,826.02	217,442.60
Small Claims Costs	4,579.00	4,996.00
Trusteeship Fees	0.00	0.00
Interest Earned	(1,554.04)	(859.71)
Special Projects	145,408.67	155,001.34
Non Moving Violation	338.00	442.00
Special Pro. Ind Alcohol Treatment	6,503.00	6,293.50
Sidney Police Fee	16,259.84	16,596.34
Unclaimed funds	4,238.24	2,584.67
Drug Test	3,386.00	1,330.00
<b>Total Paid To City of Sidney</b>	<b>788,443.62</b>	<b>804,886.62</b>

PAID TO SHELBY COUNTY		
Victims Services	1,448.00	1,304.00
Canine Control	835.00	1,372.00
Regular Fines	91,856.79	88,766.73
Uniform Traffic	53,933.00	51,285.50
10% Ohio State Highway Patrol	9,691.80	10,986.76
Witness and Jury Fees	78.00	88.00
Crime Stoppers	521.00	469.00
Public Defender Fee	11,770.11	9,927.44
Shelby County Sheriff's Fees	2,786.00	3,562.00
DUI Incarceration	9,344.00	8,984.65
DUI Enforcement/Education Fund	953.00	771.00
Shelby County Sheriff Drug Enforcement Fund	325.00	375.00
Shelby County Humane Society	0.00	0.00
Overload Fines	1,802.00	1,423.11
<b>Total Paid To Shelby County</b>	<b>185,343.70</b>	<b>\$179,315.19</b>

<b>PAID TO STATE OF OHIO</b>		
Reparations Rotary (Victims of Crime)	44,889.38	46,890.00
50% Ohio State Highway Patrol	48,480.98	55,145.78
Department of Liquor Control	875.00	156.00
Division of Wildlife	2,000.00	2,502.00
Division of Watercraft	125.00	525.00
Board of Pharmacy	820.00	1,300.00
Seatbelt Education Fund	15,749.00	17,817.00
DUI Enforcement/Education Fund	3,582.95	1,323.00
Legal Aid Funding	49,924.00	44,589.00
Highway Patrol Drug Enforcement Fund	1,692.00	2,495.00
Expungement fees	1,140.00	990.00
Indigent Defense Support Fund	121,386.00	156,362.22
35% Moving Violation	15,350.10	16,070.54
<b>Total Paid To State of Ohio</b>	<b>306,014.41</b>	<b>\$346,165.54</b>

<b>MISCELLANEOUS</b>	<b>47,816.61</b>	<b>63,302.63</b>
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(Includes Marriage Fees, Restitution Paid, Foreign County Sheriff Fees, etc.)

<b>TOTAL PAID OUT TO GOV'T AGENCIES</b>	<b>\$1,279,801.73</b>	<b>\$1,330,367.35</b>
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<b>MISCELLANEOUS CIVIL RECEIPTS</b>	<b>\$1,162,094.79</b>	<b>\$995,882.05</b>
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(Includes Garnishments, Judgments, Trusteeship, and all other Miscellaneous Civil Accounts)

<b>COMMUNITY SERVICE CREDIT FOR FINES</b>	<b>\$7,519.65</b>	<b>\$10,188.00</b>
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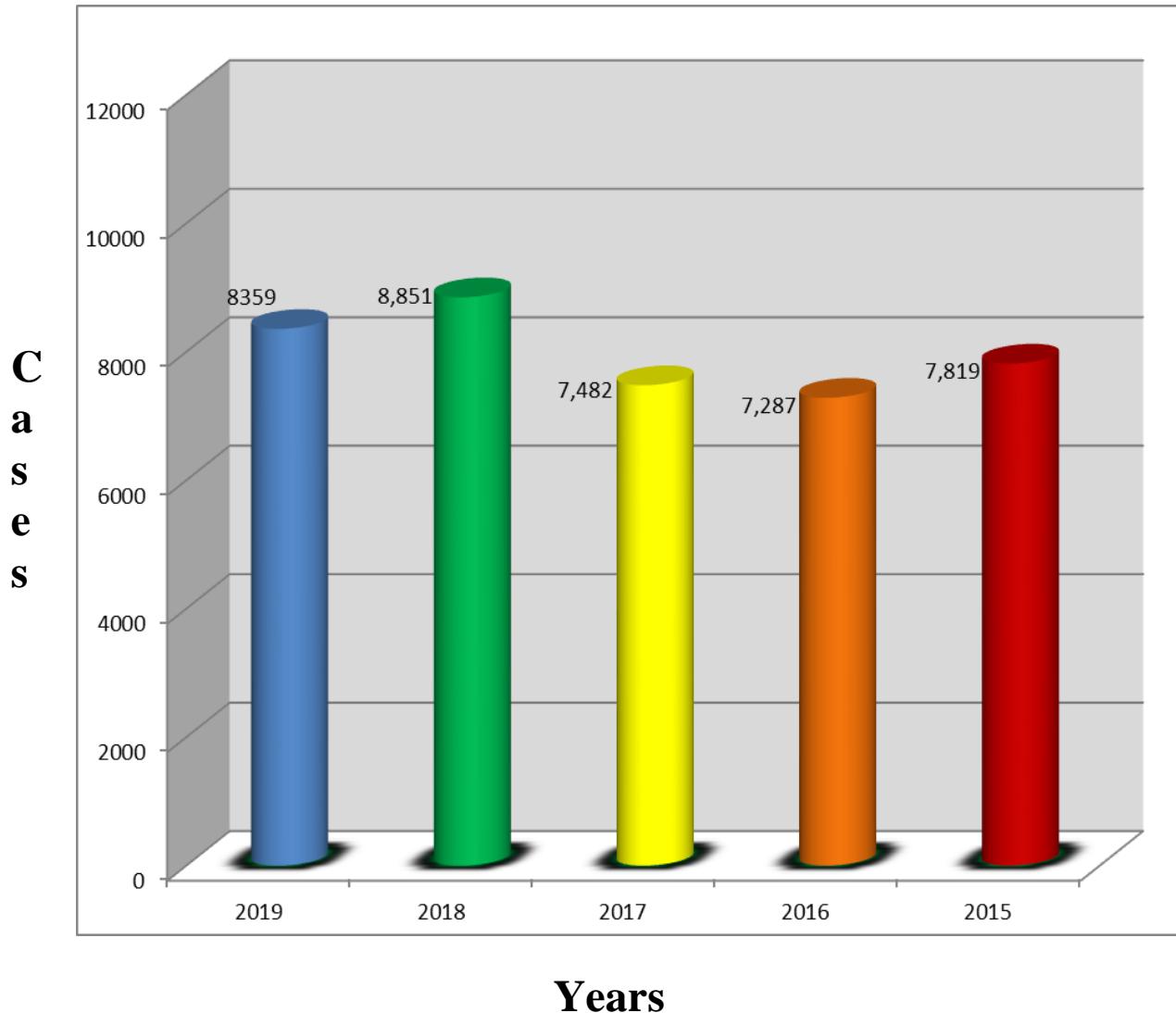
## Five Year Comparison of Cases Filed

TYPE OF CASE FILED	2019	2018	2017	2016	2015
<b>Felonies</b>	162	187	168	135	133
<b>Criminal Misdemeanors</b>	951	945	827	783	855
<b>Driving Under Influence</b>	191	244	206	241	257
<b>Other Traffic</b>	4,920	5,679	4,608	4,379	4,877
<b>Civil (Including Evictions)</b>	2,009	1,677	1,607	1,655	1,643
<b>Small Claims</b>	126	119	66	94	54
<b>TOTAL</b>	<b>8359</b>	<b>8,851</b>	<b>7,482</b>	<b>7,287</b>	<b>7,819</b>
<b>Cases Reactivated</b>	223	424	493	515	309

<b>GARNISHMENTS</b>	1,002	875	823	929	1114
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<b>WEDDING CEREMONIES</b>	33	35	31	25	49
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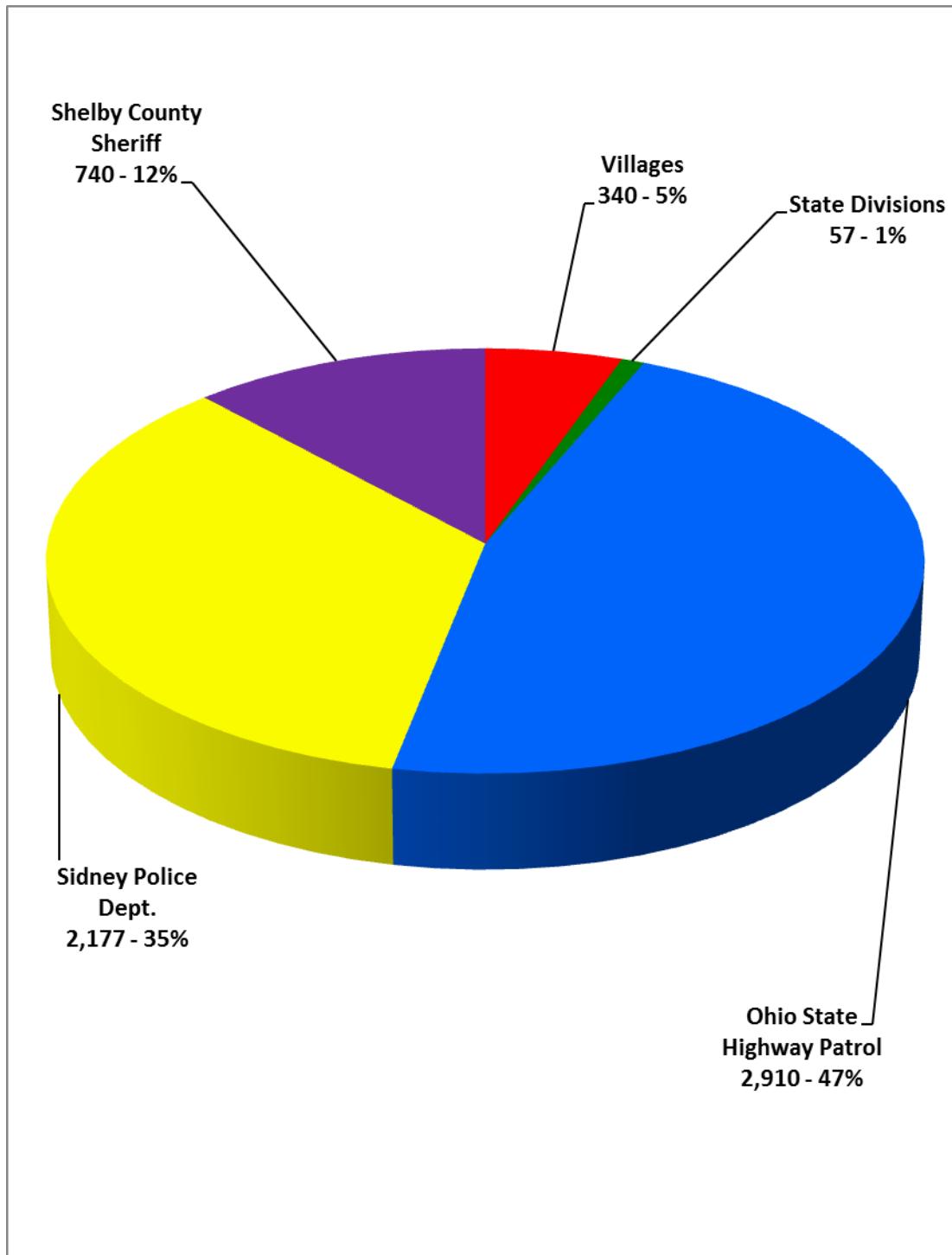
## Five Year Comparison of Cases Filed



## Breakdown of Traffic/Criminal/OVI Case Filings by Agency

AGENCY	FELONIES	CRIMINAL MISD.	DUIs	OTHER TRAFFIC	TOTAL
Ohio State Highway Patrol	16	74	58	2,862	<b>3010</b>
Shelby County Sheriff's Office	36	141	51	392	<b>620</b>
Sidney Police Department & SFD	105	383	64	1,625	<b>2177</b>
Village of Fort Loramie	3	20	1	134	<b>158</b>
Village of Jackson Center	0	15	2	36	<b>53</b>
Village of Anna	0	5	0	7	<b>12</b>
Village of Botkins	0	19	7	88	<b>114</b>
Village of Port Jefferson	0	0	0	2	<b>2</b>
Village of Russia	0	0	0	1	<b>1</b>
Dog Warden	0	20	0	0	<b>20</b>
State of Ohio Board of Liquor Control	0	8	0	0	<b>8</b>
State of Ohio - Parks & Rec & EPA	0	0	0	7	<b>7</b>
State of Ohio Division of Watercraft	0	5	0	0	<b>5</b>
State of Ohio Division of Wildlife	0	34	0	0	<b>34</b>
Bureau of Motor Vehicles	0	0	0	3	<b>3</b>
<b>TOTALS</b>	<b>160</b>	<b>724</b>	<b>183</b>	<b>5,157</b>	<b>6224</b>

## Breakdown of Traffic/Criminal/OVI Case Filings by Agency



# Case Dispositions 2018 and 2019

<b>FELONIES</b>	<b>2018</b>	<b>2019</b>
Preliminary Hearing Held	12	15
Waiver of Preliminary Hearing	77	75
Dismissals (including at Prelim. Hearing)	92	86
Unavailability of Defendant	1	4
Plea to Reduce Charge	1	0
Total	<b>183</b>	<b>180</b>
<b>CRIMINAL MISDEMEANORS</b>		
Jury Trials	1	8
Court Trials	150	109
Pleas (to original charge at arraignment)	274	259
Pleas (to reduced charge)	179	214
Payment through Violations Bureau	26	25
Dismissals	247	265
Unavailability of Defendant	204	161
Appeals	0	0
Transfer to Another Judge or Court	0	0
Total	<b>1081</b>	<b>1041</b>
<b>DRIVING UNDER INFLUENCE</b>		
Jury Trials	0	0
Court Trials	26	14
Pleas (to original charge at arraignment)	82	47
Pleas (to reduced charge)	120	109
Dismissals	14	15
Unavailability of Defendant	17	13
Appeals	0	0
Transfer to Another Judge or Court	0	0
Total	<b>259</b>	<b>198</b>
<b>OTHER TRAFFIC</b>		
Jury Trials	0	1
Court Trials	476	434
Pleas (to original charge at arraignment)	258	220
Pleas (to reduced charge)	162	141

Payment through Violations Bureau	4477	3764
Dismissals	259	190
Unavailability of Defendant	424	380
Appeals	0	0
Transfer to Another Judge or Court	0	0
<b>Total</b>	<b>6056</b>	<b>5130</b>

	<b>2018</b>	<b>2019</b>
Jury Trials	0	0
Trials to Court (Including Defaults)	1216	1491
Appeals/Bankruptcy Stays	12	22
Dismissals/Other Terminations	385	579
Transfers to Another Judge or Court	2	0
<b>Total</b>	<b>1615</b>	<b>2092</b>

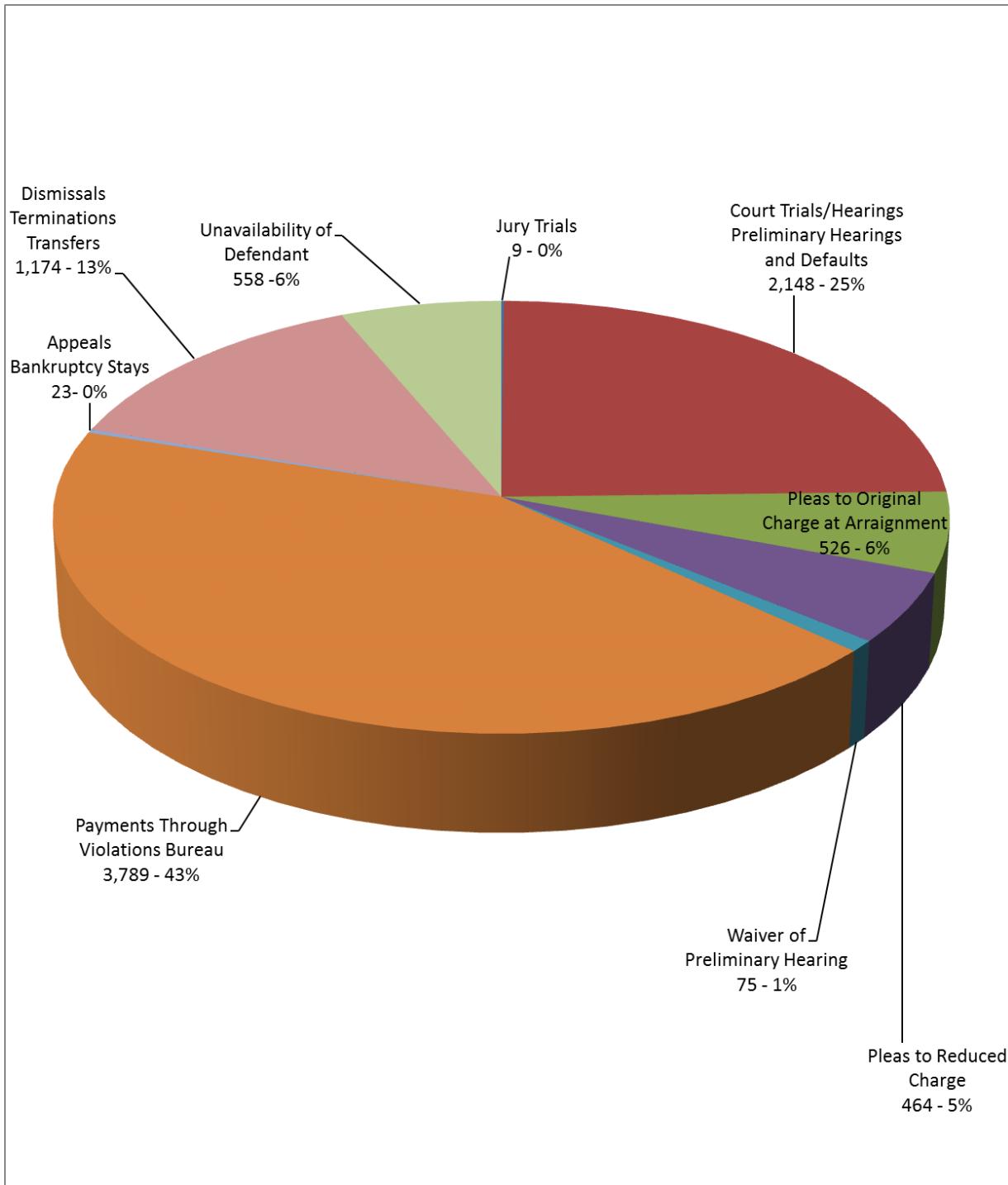
#### **SMALL CLAIMS**

Hearings (Including Defaults)	83	85
Transfers to Civil Docket	2	0
Appeals/Bankruptcy Stays	0	1
Dismissals/Other Terminations	31	39
Transfer to Another Court	0	0
<b>Total</b>	<b>116</b>	<b>125</b>

#### **TOTALS FOR ALL CASES**

Jury Trials	1	9
Court Trials/Hearings/Defaults	1963	2148
Pleas (to original charge at arraignment)	617	526
Pleas (to reduced charge)	462	464
Waiver of Preliminary Hearing	77	75
Payment through Violations Bureau	4503	3789
Appeals/Bankruptcy Stays	12	23
Dismissals/Terminations/Transfers	1030	1174
Unavailability of Defendant	645	558
<b>TOTAL</b>	<b>9310</b>	<b>8766</b>

## 2019 Case Dispositions



# 2019 Juror Statistics

## FIRST TERM (01-01-2019 THROUGH 04-30-2019)

Number of Jurors Pulled by Jury Commission	200	
Removed by Jury Commission:	22	11%
Returned by Post Office:	22	11%
Excused Based on Questionnaire Information	12	6%
Moved out of Jurisdiction	12	
Medical Reasons	0	
Occupation	0	
JURORS AVAILABLE TO SERVE FIRST TERM:	<b>144</b>	<b>72%</b>

## SECOND TERM (05-01-2019 THROUGH 08-31-2019)

Number of Jurors Pulled by Jury Commission	200	
Removed by Jury Commission:	25	12.50%
Returned by Post Office:	29	14.50%
Excused Based on Questionnaire Information	8	4%
Moved out of Jurisdiction	8	
Medical Reasons	0	
Occupation	0	
JURORS AVAILABLE TO SERVE SECOND TERM:	<b>138</b>	<b>69%</b>

## THIRD TERM (09-01-2019 THROUGH 12-31-2019)

Number of Jurors Pulled by Jury Commission	200	
Removed by Jury Commission:	19	9.50%
Returned by Post Office:	23	11.50%
Excused Based on Questionnaire Information	6	3%
Moved out of Jurisdiction	0	
Medical Reasons	0	
Occupation	0	
JURORS AVAILABLE TO SERVE THIRD TERM:	<b>152</b>	<b>76%</b>

**TOTAL NUMBER OF JURORS DRAWN FOR 2019** **600**

**TOTAL NUMBER OF JURORS AVAILABLE FOR 2019** **434** **72%**

# Probation Department Statistics

## 2019

### DEFENDANT'S PLACED IN COMMUNITY SUPERVISION PROGRAMS IN 2019: 753

	SUCCEFUL COMPLETIONS	UNSUCCESSFUL COMPLETIONS
MALE	327	179
FEMALE	174	79
72 HOUR INTERENTION PROGRAM	110	8
GPS/HOUSE ARREST	21	7
SCRAM	21	7
MENTAL HEALTH COUNSELING	36	10
OUT PATIENT CONSELING	83	25
ANGER/RAGE COUNSELING	36	13
GED	2	1

### REFERRALS TO PROGRAMMING

PEER SUPPORT INTERVIEWS	230
HALFWAY HOUSE	8
IN PATIENT PROGRAMS	8
PARENTING CLASSES	7
DOMESTIC BATTERERS PROGRAM	5
MOVING ON PROGRAM	1
THINKING FOR CHANGE CLASS	5
VIVITROL-MAT PROGRAM REFERRALS	24
COMMUNITY SERVICE HOURS	501
DRUG/ALCOHOL OR MENTAL HEALTH EVALUATIONS	196
COMPLETED PRE-SENTENCE INVESTIGATIONS	193
PRETRIAL SERVICES INTERVIEWS	272
IN HOUSE ALCOHOL DRUG SCREENS ADMINISTERED	698

# Bailiff Department Statistics 2019

## PAPERS SERVED

SUBPOENAS	588
SUMMONS	360
WRITS OF RESTITUTION FROM EVICTIONS	40
GARNISHMENTS	0
<b>TOTAL</b>	<b>988</b>

## PRISONERS TRANSPORTED TO / FROM JAIL

FEMALES	178
MALES	531
PROBATION/CONTEMPT WARRANTS (OUT OF COUNTY PRISONER PICKUPS)	29
<b>TOTAL</b>	<b>738</b>

## LICENSE INTERVENTION PROGRAM

SUCCESSFUL COMPLETION	119
UNSUCCESSFUL COMPLETION	43
<b>TOTAL</b>	<b>162</b>

## VIDEO ARRAIGNMENT

FEMALES	105
MALES	320
<b>TOTAL</b>	<b>425</b>