

# **2023 ANNUAL REPORT**



## **SIDNEY MUNICIPAL COURT**

**Gary J. Carter**  
**Judge**

**Tony D. Kremer**  
**Court Administrator/Clerk of Court**

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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*

February 2024

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 2023 Annual Report for the Sidney Municipal Court.

The year 2023 was a busy year for the Sidney Municipal Court. A total of 5,702 cases were processed and many probationers were referred to community providers for treatment and counseling. The Court was awarded the Community Corrections Act 2.0 (CCA) Grant totaling \$669,076 for the next two fiscal year grant cycles. The Court was also awarded a Technology Grant in the amount of \$27,595 to purchase a new X-ray detection device and metal detector for the Court's lobby. The Court tries to create a user friendly experience for litigants by optimizing the use of technology and by adding new functionality on the Court's website.

The Court processed 3,458 traffic cases, 722 criminal cases, and 1,522 civil cases for a total of 5,702 cases in 2023. The Probation Department monitored 263 new Probation cases and completed 334 cases, with 80% of those probationers completing their plan successfully. The Bailiffs served 723 papers, transported 121 prisoners, and the Court held video arraignments for 685 prisoners.

During 2023, 82 individuals entered the Court's License Intervention Program. The Program had a 74% successful completion rate which resulted in 60 valid and properly insured drivers on the roads.

In 2023, the Court collected \$2,050,216 in receipts. In addition, qualifying offenders provided service to the City and County through the Court's Alternative Service Program in lieu of paying fines. This program allows those who do not earn sufficient income to pay their fines, the alternative of working off their fines and costs by performing community service to local organizations and non-profit agencies.

The Court distributed \$19,979 in restitution to victims of crime and distributed garnishment monies in the amount of \$982,408 to various creditors.

The Court's Pretrial Services Program continues to help identify defendants who are appropriate for pretrial release from jail. The goal of the Program is to reduce or eliminate the time offenders spend in jail by changing their behaviors. In 2023, The Court's Pretrial Services Officer collected background information on 458 defendants and determined whether they were eligible for pretrial release and supervision and conducted 168 interviews with inmates. Of the 168 defendants interviewed, the court granted an own-recognition bond on 89 cases.

Our goal is to file fewer community control, or "Probation," violations, by offering more referrals to community agencies that have additional programs, and also by offering programs in-house. With our new programs we were able to decrease community control violations from nearly 250 in prior years to 88 in 2023. In place of a community control violation, 211 people were placed in counseling and treatment programs such as alcohol and drug, anger management, mental health, and parenting classes. In addition, 169 offenders were sanctioned within the Probation Department rather than getting a Probation Violation, and Probation Officers gave 561 incentives to Probationers for demonstrating growth and implementation of social skills.

The Probation Department also offers Thinking for a Change and Domestic Batterers classes for certain types of offenders. In 2023, 17 offenders participated in the Thinking for a Change class and 14 (82%) successfully completed the program. The Domestic Batterers program had 11 participants during the year and 7 (64%) successfully completed the class.

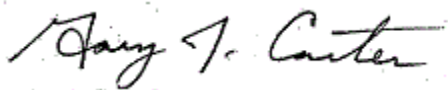
The Probation Department also completed 132 pre-sentence investigations on cases to help the Court in determining an appropriate sentence.

Court staff continues to work well together. Several staff members who were more recently hired, as well as some existing staff members who were recently promoted, are all doing a great job in their new positions. Cases are moving through the Court efficiently and in compliance with Ohio Supreme

Court guidelines. We are actively applying for grants to reduce our burden on the City and County, so that we can continue to make improvements to our operation without incurring significant additional expenses locally.

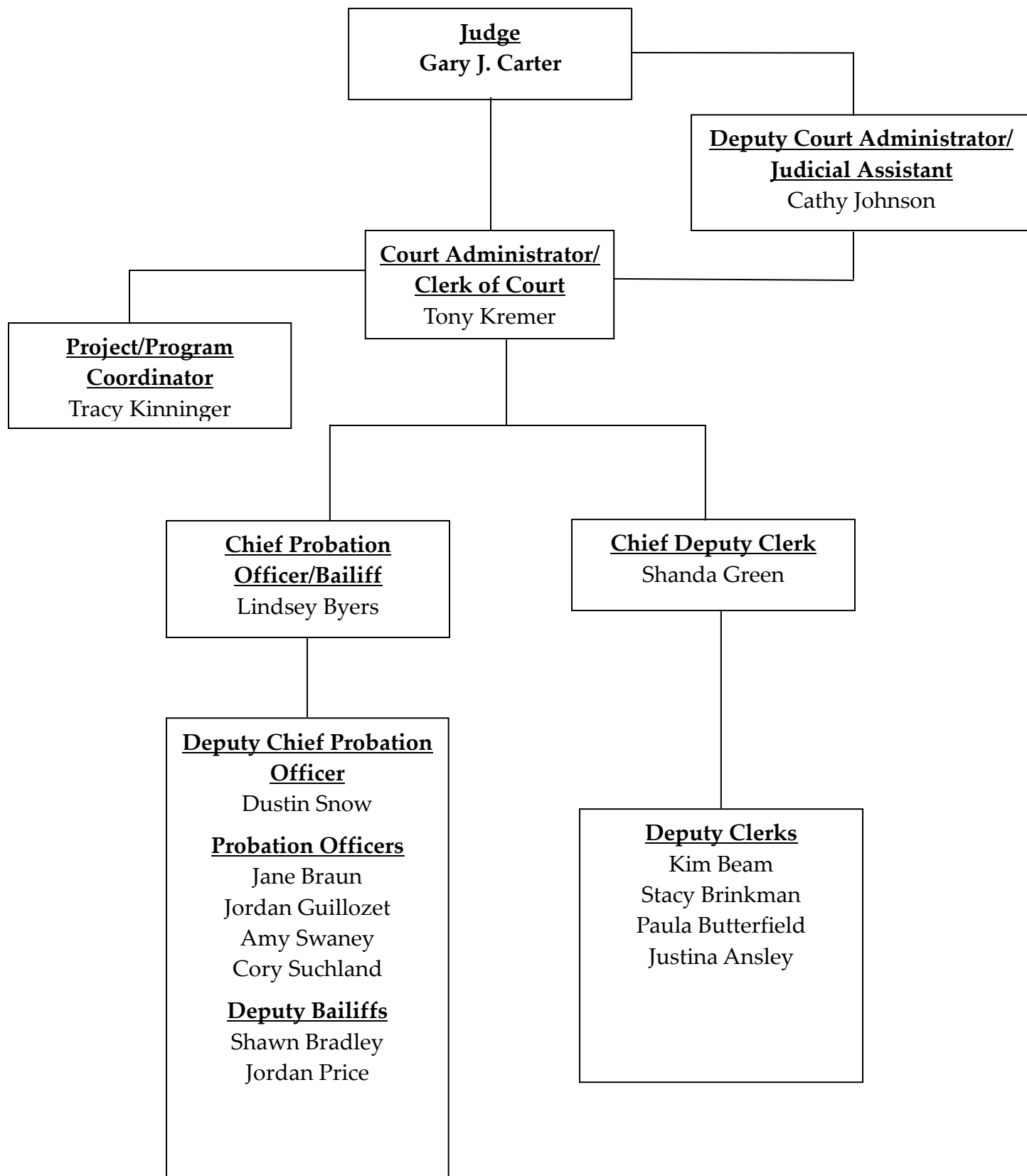
We will continue to provide prompt and courteous service to the citizens of Sidney and Shelby County and to see that justice is administered as fairly, impartially, and efficiently as possible.

Respectfully submitted,

A handwritten signature in black ink that reads "Gary J. Carter". The signature is written in a cursive style with a large initial "G" and "C".

Gary J. Carter  
Judge  
Sidney Municipal Court

# Organizational Chart



## Change in Assets and Liabilities for the year ending December 31, 2023

The table below displays the Court's changes in assets and liabilities for the year ending December 31, 2023.

	<b>Traffic and Criminal</b>	<b>Civil and Small Claims</b>	<b>Totals</b>
<b>ADDITIONS</b>			
Court costs & fines	\$ 674,823	\$ 275,553	\$ 950,376
Restitution, Bonds, and Judgments	\$ 112,032	\$ 987,808	\$ 1,099,840
Total Additions	<u>\$ 786,855</u>	<u>\$ 1,263,361</u>	<u>\$ 2,050,216</u>
<b>DEDUCTIONS</b>			
Judgement costs & bond reimbursements	\$ 118,621	\$ 988,438	\$ 1,107,059
Payments to other governments	\$ 747,373	\$ 295,519	\$ 1,042,892
Total Deductions	<u>\$ 865,994</u>	<u>\$ 1,283,957</u>	<u>\$ 2,149,951</u>
Change in net position	\$ (79,139)	\$ (20,596)	\$ (99,735)
Net position, beginning of year	<u>\$ 89,399</u>	<u>\$ 92,758</u>	<u>\$ 182,157</u>
<b>Net Position, End of Year</b>	\$ 10,260	\$ 72,162	\$ 82,422

## Statement of Net Position for the year ending December 31, 2023

The table below displays the Court's statement of net position for the year ending December 31, 2023.

	Traffic and Criminal	Civil and Small Claims	Total
<b>ASSETS</b>			
Cash held by outside agent	67,137	97,179	164,316
Total assets	\$ 67,137	\$ 97,179	\$ 164,316
<b>LIABILITIES</b>			
Accounts payable	\$ 5,777	\$ -	\$ 5,777
Payable to other governments	\$ 51,100	\$ 25,017	\$ 76,117
Total liabilities	\$ 56,877	\$ 25,017	\$ 81,894
<b>NET POSITION</b>			
Restricted for:			
Individuals & other governments	\$ 10,260	\$ 72,162	\$ 82,422
<b>Total Net Position</b>	<b>\$ 10,260</b>	<b>\$ 72,162</b>	<b>\$ 82,422</b>



## Accounts Receivable Comparison

	2022	2023
<b>PAID TO CITY OF SIDNEY</b>		
Computer Research Fund	\$32,869	\$30,842
City Fines/Forfeitures	\$24,860	\$17,043
Court Costs	\$184,415	\$162,283
45% Ohio State Highway Patrol	\$23	\$0
40% Ohio State Highway Patrol	\$31,404	\$32,037
Witness and Jury Fees	\$42	\$0
Indigent Alcohol Treatment Fund	\$7,846	\$6,582
DUI Enforcement/Education Fund	\$1,263	\$1,054
Civil Costs	\$184,907	\$190,228
Small Claims Costs	\$2,371	\$1,879
Trusteeship Fees	\$0	\$0
Interest Earned	\$17	\$174
Bank Fees	-\$717	-\$1,061
Special Projects	\$109,051	\$101,144
Non Moving Violation	\$169	\$115
Special Pro. Ind Alcohol Treatment	\$4,581	\$3,859
Sidney Police Fee	\$11,231	\$8,170
Unclaimed funds	\$1,108	\$2,762
Drug Test	\$1,263	\$390
Probation Services Fee	\$17,755	\$18,984
<b>Total Paid To City of Sidney</b>	<b>\$614,458</b>	<b>\$576,486</b>

<b>PAID TO SHELBY COUNTY</b>		
Victims Services	\$1,028	\$992
Canine Control	\$1,662	\$575
Regular Fines	\$79,570	\$73,954
Uniform Traffic	\$43,363	\$33,863
10% Ohio State Highway Patrol	\$7,851	\$8,009
Witness and Jury Fees	\$33	\$124
Crime Stoppers	\$334	\$362
Public Defender Fee	\$8,420	\$7,587
Shelby County Sheriff's Fees	\$2,525	\$2,309
DUI Incarceration	\$7,051	\$6,347
DUI Enforcement/Education Fund	\$558	\$373
Shelby County Sheriff Drug Enforcement Fund	\$0	\$500
Overload Fines	\$0	\$0
Law Library	\$4,008	\$4,000
<b>Total Paid To Shelby County</b>	<b>\$156,402</b>	<b>\$138,995</b>

## Accounts Receivable Comparison

	2022	2023
<b>PAID TO STATE OF OHIO</b>		
Reparations Rotary (Victims of Crime)	\$34,445	\$30,921
45% Ohio State Highway Patrol	\$23	\$0
50% Ohio State Highway Patrol	\$39,232	\$40,046
Department of Liquor Control	\$100	\$0
Division of Wildlife	\$1,284	\$2,121
Division of Watercraft	\$150	\$500
Board of Pharmacy	\$675	\$375
Seatbelt Education Fund	\$5,960	\$4,103
DUI Enforcement/Education Fund	\$690	\$1,154
Legal Aid Funding	\$36,467	\$38,396
Highway Patrol Drug Enforcement Fund	\$2,065	\$2,178
Expungement fees	\$870	\$810
Indigent Defense Support Fund	\$92,181	\$81,984
Moving Violation Drug Enforcement	\$11,408	\$10,449
Moving Violation IDSF	\$16,302	\$14,929
State General Fund	\$60	\$60
<b>Total Paid To State of Ohio</b>	<b>\$241,911</b>	<b>\$228,027</b>

<b>MISCELLANEOUS</b>	<b>\$8,668</b>	<b>\$8,610</b>
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(Includes Restitution Paid, Foreign County Sheriff Fees, Payments to Villages, Marriage Fees, etc.)

<b>TOTAL PAID OUT TO GOV'T AGENCIES</b>	<b>\$1,021,439</b>	<b>\$952,118</b>
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<b>MISCELLANEOUS CIVIL RECEIPTS</b>	<b>\$972,168</b>	<b>\$999,969</b>
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(Includes Garnishments, Judgments, Trusteeship, Marriage Fees, Restitution, and all other Miscellaneous Civil Accounts)

<b>COMMUNITY SERVICE CREDIT FOR FINES</b>	<b>\$1,050</b>	<b>\$3,498</b>
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## Five Year Comparison of Cases Filed

TYPE OF CASE FILED	2019	2020	2021	2022	2023
<b>Felonies</b>	162	122	120	89	107
<b>Criminal Misdemeanors</b>	882	562	532	526	534
<b>Driving Under Influence</b>	182	140	149	129	103
<b>Other Traffic</b>	4,883	3,303	4,959	3785	3,126
<b>Civil</b>	1,635	1,028	1,226	1188	1245
<b>Evictions</b>	245	178	160	199	218
<b>Small Claims</b>	126	60	32	54	43
<b>Total</b>	8,115	5,393	7,178	5,970	5,376

<b>Cases Reactivated</b>	467	457	406	389	326
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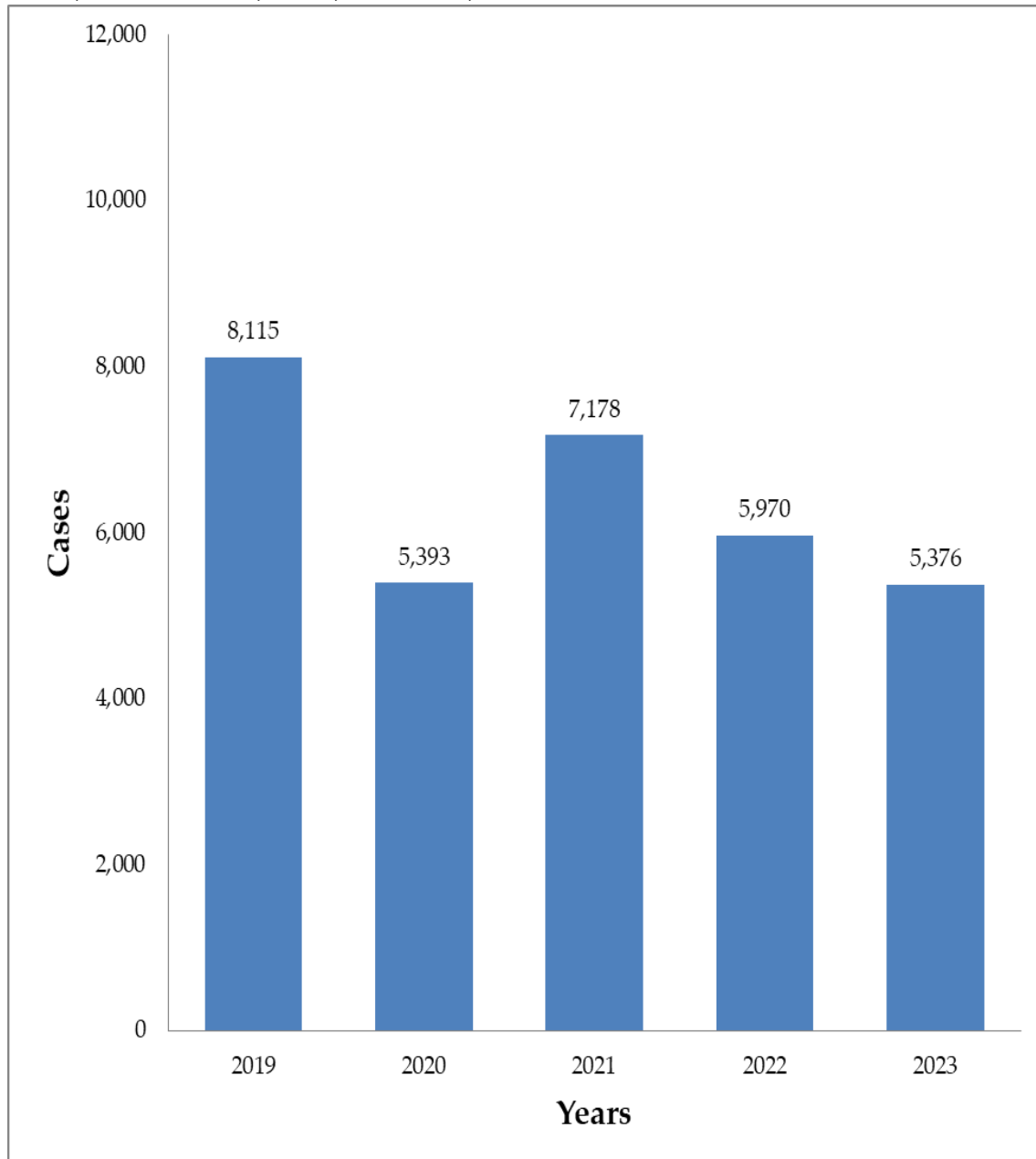
<b>Wage Garnishments</b>	869	517	604	664	715
<b>Bank Garnishments</b>	76	31	15	65	63

<b>Wedding Ceremonies</b>	33	27	36	24	42
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Note: The total cases filed number counts cases based on filing date, rather than offense date. As a result, this total will not match the case filings by agency total on page 11 of this report.

## Five Year Comparison of Cases Filed

The table below represents a 5-year comparison of total cases filed in Sidney Municipal Court. Totals include all case types: felonies, criminal misdemeanors, DUI's, Other Traffic, Civil, Evictions, and Small Claims.



Note: The table does not include cases that were “reactivated.” Reactivated cases are cases in which a defendant failed to appear, causing the case to be temporarily made inactive. When a defendant appears after the case was previously placed on inactive status, the case is reactivated. The Court processed 326 reactivations during 2023.

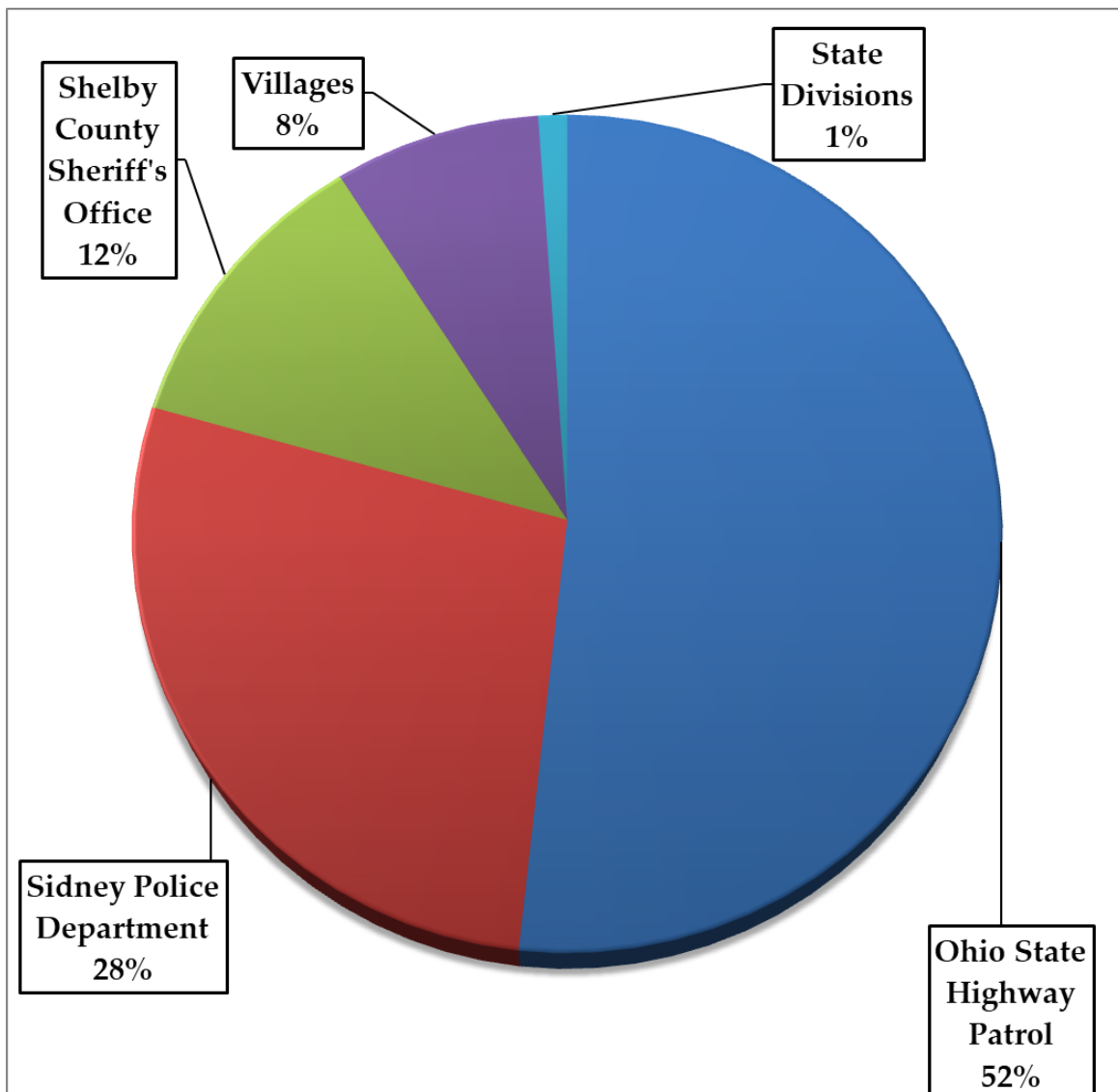
## Breakdown of Traffic/Criminal/OVI Case Filings by Agency

AGENCY	FELONIES	CRIMINAL MISD.	DUIs	OTHER TRAFFIC	TOTAL
Ohio State Highway Patrol	10	37	39	1,878	1964
Sidney Police Department & SFD	63	268	34	685	1050
Shelby County Sheriff's Office	23	89	19	291	422
Dog Warden	0	18	0	0	18
Village of Anna	6	4	1	107	118
Village of Botkins	1	13	6	95	115
Village of Jackson Center	3	11	1	22	37
Village of Fort Loramie	2	1	1	26	30
Village of Port Jefferson	0	0	0	1	1
State of Ohio Division of Wildlife	0	18	0	2	20
State of Ohio - Parks & Rec & EPA	0	2	0	9	11
State of Ohio Division of Watercraft	0	10	0	0	10
Ohio Department of Commerce - Liquor Control	0	1	0	0	1
<b>TOTALS</b>	<b>108</b>	<b>472</b>	<b>101</b>	<b>3,116</b>	<b>3797</b>

Note: The total cases filed by agency counts cases based on offense date, rather than date filed with the Court. As a result, this total will not match the total cases filed on page 9 of this report.

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

Agencies	TOTAL	%
Ohio State Highway Patrol	1,964	52%
Sidney Police Department	1,050	28%
Shelby County Sheriff's Office	440	12%
Villages	301	8%
State Divisions	42	1%
Total	3,797	100%



## Case Dispositions 2022 and 2023

<b>FELONIES</b>	<b>2022</b>	<b>2023</b>
Preliminary Hearing Held	32	40
Waiver of Preliminary Hearing	59	74
Dismissals (including at Prelim. Hearing	4	-
Unavailability of Defendant	4	2
Plea to Reduce Charge	-	-
Total	99	116
<b>CRIMINAL MISDEMEANORS</b>		
Jury Trials	-	3
Court Trials	43	33
Pleas (to original charge & at arraignment)	219	167
Pleas (to reduced charge)	115	131
Payment through Violations Bureau	19	72
Dismissals	151	98
Unavailability of Defendant	91	58
Appeals	-	-
Transfer to Another Judge or Court	-	-
Total	638	562
<b>DRIVING UNDER INFLUENCE</b>		
Jury Trials	-	-
Court Trials	17	6
Pleas (to original charge & at arraignment)	41	39
Pleas (to reduced charge)	76	67
Dismissals	9	2
Unavailability of Defendant	10	9
Appeals	-	-
Transfer to Another Judge or Court	-	-
Total	153	123

## Case Dispositions 2022 and 2023 Continued

<b>OTHER TRAFFIC</b>	<b>2022</b>	<b>2023</b>
Jury Trials	-	-
Court Trials	355	280
Pleas (to original charge & at arraignment)	170	213
Pleas (to reduced charge)	143	213
Payment through Violations Bureau	2,929	2,466
Dismissals	212	113
Unavailability of Defendant	360	228
Appeals	-	-
Transfer to Another Judge or Court	-	-
Total	4,169	3,513

<b>CIVIL</b>	<b>2022</b>	<b>2023</b>
Jury Trials	-	-
Trials to Court (Including Defaults)	1,107	1,024
Appeals/Bankruptcy Stays	5	5
Dismissals/Other Terminations	404	362
Transfers to Another Judge or Court	-	-
Total	1,516	1,391
<b>SMALL CLAIMS</b>		
Hearings (Including Defaults)	34	18
Transfers to Civil Docket	1	-
Appeals/Bankruptcy Stays	-	-
Dismissals/Other Terminations	24	18
Transfer to Another Court	-	-
Total	59	36

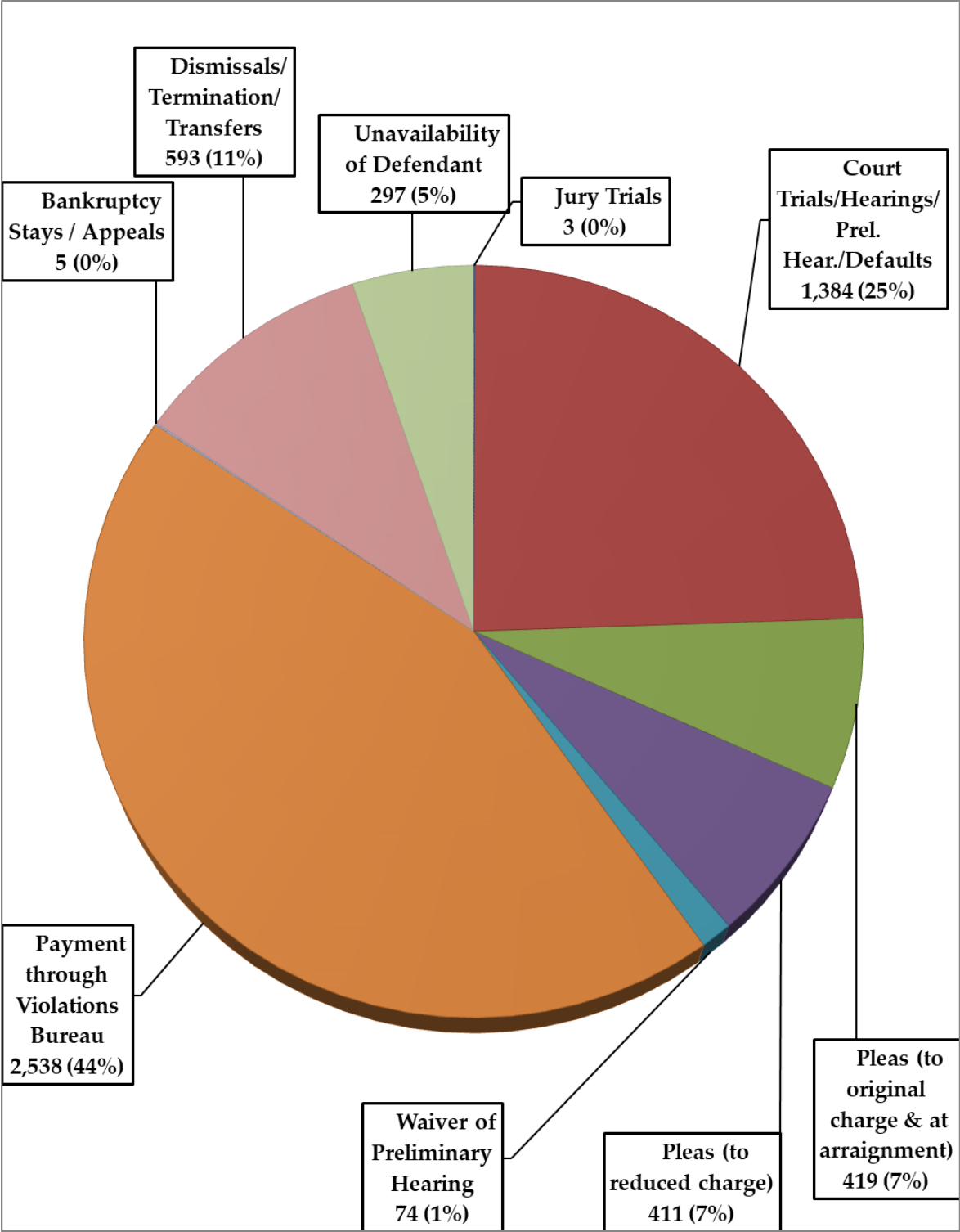


## Case Dispositions 2022 and 2023 Continued

<b>TOTALS FOR ALL CASES</b>	<b>Total</b>	<b>Total</b>
Jury Trials	-	3
Court Trials/Hearings/Prel. Hear./Defaults	1,588	1,401
Pleas (to original charge & at arraignment)	430	419
Pleas (to reduced charge)	334	411
Waiver of Preliminary Hearing	59	74
Payment through Violations Bureau	2,948	2,538
Appeals/Bankruptcy Stays	5	5
Dismissals/Terminations/Transfers	805	593
Unavailability of Defendant	465	297
<b>TOTAL</b>	<b>6,634</b>	<b>5,741</b>

# 2023 Case Dispositions

The chart below represents a breakdown of the final dispositions of cases in Sidney Municipal Court during 2023.



## 2023 Juror Statistics

FIRST TERM (01-01-2023 THROUGH 04-30-2023)			
Number of Jurors Pulled by Jury Commission	200		
Removed by Jury Commission:	19	10%	
Returned by Post Office:	11	6%	
Excused Based on Questionnaire Information	21	11%	
Moved out of Jurisdiction	9		
Medical Reasons	4		
Occupation	8		
JURORS AVAILABLE TO SERVE FIRST TERM:	<b>149</b>	<b>75%</b>	
SECOND TERM (05-01-2023 THROUGH 08-31-2023)			
Number of Jurors Pulled by Jury Commission	200		
Removed by Jury Commission:	17	9%	
Returned by Post Office:	9	5%	
Excused Based on Questionnaire Information	28	14%	
Moved out of Jurisdiction	7		
Medical Reasons	16		
Occupation	5		
JURORS AVAILABLE TO SERVE SECOND TERM:	<b>146</b>	<b>73%</b>	
THIRD TERM (09-01-2023 THROUGH 12-31-2023)			
Number of Jurors Pulled by Jury Commission	200		
Removed by Jury Commission:	26	13%	
Returned by Post Office:	11	6%	
Excused Based on Questionnaire Information	21	11%	
Moved out of Jurisdiction	5		
Medical Reasons	8		
Occupation	8		
JURORS AVAILABLE TO SERVE THIRD TERM:	<b>142</b>	<b>71%</b>	
TOTAL NUMBER OF JURORS DRAWN FOR 2023	600		
TOTAL NUMBER OF JURORS AVAILABLE FOR 2023	<b>437</b>	<b>73%</b>	

## Probation Department Statistics 2023

<b>NEW PROBATION CASES IN 2023</b>	<b>263</b>	
<b>SUCCESS RATE</b>	<b>80%</b>	
<b>PROBATION COMPLETIONS IN 2023</b>	<b>SUCCESSFUL COMPLETIONS</b>	<b>UNSUCCESSFUL COMPLETIONS</b>
	<b>266</b>	<b>68</b>

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### ASSESSMENTS AND REPORTS

PRE-SENTENCE INVESTIGATIONS	132
PRETRIAL SERVICES INTERVIEWS	458
MAT	238
CST	186
PAT	52

### REFERRALS TO PROGRAMMING

72 HOUR INTERVENTION PROGRAM	69
GPS/HOUSE ARREST	20
SCRAM	21
MENTAL HEALTH COUNSELING	63
ANGER/RAGE COUNSELING	81
HALFWAY HOUSE	2
IN PATIENT PROGRAMS	3
PARENTING CLASSES	8
PRETRIAL SUPERVISION	19
BATTERS INTERVENTION GROUP	16
DRUG/ALCOHOL EVALUATIONS	64
COMMUNITY SERVICE HOURS	352
MENTAL HEALTH EVALUATIONS	144
IN HOUSE ALCOHOL/DRUG SCREENS ADMINISTERED	646
THINKING FOR A CHANGE	29

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## Bailiff Department Statistics 2023

### PAPERS SERVED

SUBPOENAS	318
SUMMONS	307
WRITS OF RESTITUTION FROM EVICTIONS	86
GARNISHMENTS	12
TOTAL	723

### PRISONERS TRANSPORTED TO / FROM JAIL

FEMALES	27
MALES	69
PROBATION/CONTEMPT WARRANTS (OUT OF COUNTY PRISONER PICKUPS)	25
TOTAL	121

### LICENSE INTERVENTION PROGRAM

SUCCESSFUL COMPLETION	60
UNSUCCESSFUL COMPLETION	23
PENDING	8
TOTAL	91

### VIDEO APPEARANCES

FEMALES	125
MALES	560
TOTAL	685