

Fairborn Municipal Court  
2017  
Annual Report



BETH W. CAPPELLI, Judge  
1148 Kauffman Avenue  
Fairborn, Ohio 45324

# **THE FAIRBORN MUNICIPAL COURT MISSION STATEMENT**

The mission of the Fairborn Municipal Court is to ensure accessibility and fairness in the administration of justice and to serve all individuals in a courteous and professional manner. To accomplish this mission, the Judge and Magistrate shall in a fair, ethical, impartial, and efficient manner resolve disputes consistent with the Constitutions of the United States of America and the State of Ohio. The Fairborn Municipal Court Clerk of Court's office shall accurately maintain and preserve all court documents as well as collect and disburse all monies as directed by law. The employees of the Fairborn Municipal Court will treat all individuals fairly and respectfully and provide a safe, secure environment while implementing the policies and procedures established by the Judiciary and Legislature.

# **Fairborn Municipal Court**

1148Kauffman Avenue Fairborn, Ohio 45324

**Beth W. Cappelli - Judge**

Tamela Womack - Magistrate

Mark J. Donatelli - Court Administrator/Magistrate

Melissa Litteral - Clerk of Court

Wayne Furay - Chief Bailiff

David Boutwell/Daniel Zwiesler - Chief Probation Officer

The Fairborn Municipal Court submits its annual report for the year ending 2017 in compliance with Ohio Revised Code Section 1901.14.

The contents of this report are based upon data assembled by the Clerk of Court, the Probation Department, and the Fairborn Municipal Court staff. The following are noteworthy figures for the year 2017:

Total funds disbursed from all sources (traffic, criminal and civil) in 2017 were \$ 4,315,357.02 up from \$3,699,921.44 in 2016.

The total number of traffic, criminal and civil cases filed in 2017 were 19,923 (not including reactivated cases), up from 15,153 in 2016.

Total funds disbursed to the City of Fairborn's general fund in 2017 were \$1,472,225.11 up from \$1,157,263.21 in 2016.

The Traffic Intervention Program had a 71% success rate in 2017.

The City of Fairborn, Ohio, is the funding authority for the Fairborn Municipal Court and furnishes the budget for the Court's operation. However, the City of Beavercreek also contributes to the court budget and in 2017, contributed \$62,573.14 by way of reimbursement to the City of Fairborn for its share of the operating expenses of the Court. The amount contributed is based upon a formula set forth in Ohio Revised Code Section 1901.026(8), which states that a municipal corporation within the territory of the municipal court is not required to pay that part of its proportionate share of operating costs of the court that exceeds the total amount of costs, fees, fines, bail, or other monies distributed to that municipal corporation.

The Court also utilizes its Special Projects Fund, Court Clerk Computerization Fund, and Legal Research Fund to pay for many of the Court's budget items. An overview of these funds and the manner in which the funds are expended is included within this Annual Report.

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## **AUTHORITY AND TERRITORIAL JURISDICTION**

1. Date of Establishment to include the present territory: January 1, 1978
2. Authority: Ohio Revised Code, Section 1901.01
3. Territorial Jurisdiction with population of each as of the year 2010. The next census with updated populations will occur in calendar year 2020.
4. 

Fairborn City	32,352
Beavercreek City	45,193
Bath Township	6,420
Beavercreek Township	5,762
5. Territorial Area by square miles, 78.18

## COURT PERSONNEL

Judge	BETH W. CAPPELLI
Magistrate	TAMELA WOMACK
Accounting Clerk	LINDA TURNER
Assignment Commissioners	SARAH LYNCH/APRIL STEWART
	PHYLLIS BARLOW
Chief Bailiff	WAYNE FURAY
Court Administrator/Magistrate	MARK DONATELLI
Clerk of Court	MELISSA LITTERAL
Deputy Bailiffs	GERALD TUTTLE
	JAMIE SPICER
	DAN ZWIESLER/ KEVIN GREBNER
Security/Bailiff	CRAIG SHOUP
	BOB SAMPSON
Chief Deputy Clerk	KATHRYNE HUTCHINSON/
	KIMBERLY HUTCHINSON
Deputy Clerks	JESSICA CUMMINS
	BETH GAMBILL
	BRITTANY BARHORST
	SARAH CLEVER
	KRISTIN HOPWOOD
	AMY McCOPPIN
Deputy Clerks-Civil Division	LISA NEVILLE
	DEBBIE CARLTON
Part-time Deputy Clerk	OLIVIA THOMAN
Electronic Records Manager	REGINA URBAN
Chief of Probation	DAVID BOUTWELL/DAN ZWIESLER
Probation Officer/T.I.P.	PAM LYNCH
Probation Officer	KEVIN YOUNG
Probation Officer/Drug Court	MARY LYNZY CAMPBELL
Probation Officer	DEVANNE BENTLEY
Probation Officer/Coordinator	RYAN SIMPSON
Probation Officer	ANDY STOCKTON

## STATISTICS AND FINANCIAL INFORMATION

The following represents a statistical and financial breakdown of all criminal, traffic, and civil cases filed in the Fairborn Municipal Court in 2017, compared with calendar year 2016 and all monies received and disbursed in said years.

	<u>2016</u>	<u>2017</u>
<u>Criminal and Traffic Cases</u>	13,117	18,156
<u>Civil Cases</u>	1,840	1,665
<u>Small Claims Cases</u>	196	102
<u>Total Criminal/Traffic Receipts</u>	\$2,738,919.36	\$3,340,416.70
<u>Total Civil, Small Claims, Tenant/Landlord Receipts</u>	\$903,556.14	\$1,045,401.85

Comparative figures are provided for the past ten (10) and five (5) years.

	<u>2007</u>	<u>2012</u>	<u>2017</u>
Number of Criminal & Traffic Cases	18,274	13,677	18,156
Number of Civil Cases	1,794	1,578	1,665
Number of Small Claims Cases	334	187	102
Total Criminal/Traffic Receipt	\$3,036,677.13	\$2,634,080.61	\$3,340,416.70
Total Civil/Small Claims Receipts	\$729,064.44	\$881,319.86	\$1,045,401.85

In 2017, the Court conducted 58 criminal and traffic trials, of which 3 were jury trials. The Court also conducted thousands of arraignments and sentencing hearings where the accused did not request a trial, but the Court received evidence and performed sentencing. There were 34 civil trials held and 51 small claims hearings held. There were also 292 felony cases filed in the Fairborn Municipal Court, which required first appearances. In addition, numerous other hearings were held and motions ruled on in the course of administering justice in matters before the Court. In 2017, the Court also performed 31 weddings.



## CRIMINAL AND TRAFFIC DIVISION

All criminal and traffic citations are filed with the Criminal and Traffic Division of the Court. Seven (7) full time clerks are assigned to this division, and one (1) permanent part-time clerk.

The Court is also fortunate to be involved in intern programs with Cedarville University, Wright State University, the University of Dayton School Of Law, and occasionally other area colleges. Periodically, the court has interns assisting the court in the performance of its daily duties. The intern position is voluntary and the student receives class credit and experience in the criminal justice system as a result of intern participation. One current Deputy Bailiff employed by the Court was formerly an intern from Bowling Green University, and was hired for permanent employment upon completion of his internship.

The duties of the personnel in the Criminal and Traffic Division include processing all cases from initial filing to final disposition; receiving, posting, and disbursing all fines and court costs collected; answering questions from the public; and accurately maintaining all court records and documents. They are also responsible for answering the telephones, filing cases, and issuing notices, subpoenas, and warrants. They also perform record searches; complete reports and forms required to be transmitted to the Ohio Bureau of Motor Vehicles and the Bureau of Criminal Identification and Investigation; provide for inspection and copying of public records; enter decisions and dispositions into case dockets, and maintain the statistical records that are reported monthly to the Supreme Court of Ohio.

The Assignment Commissioners schedule all pending cases and wedding ceremonies. They are responsible for scheduling hearings, trials, and dispositions and coordinating the calendars of legal counsel to efficiently process cases through the court system. The assignment commissioners have assumed additional responsibilities of drafting entries at their own suggestion.

## **CIVIL DIVISION AND SMALL CLAIMS**

The Civil Division of the Court accepts complaints to recover money, contract disputes and other collection cases for claims having a monetary value of Fifteen thousand dollars (\$15,000) or less. Also, the Civil Division accepts complaints for eviction for the termination of tenancies and replevin complaints seeking the return of property. Two (2) full time deputy clerks are assigned to the Civil Division. The deputy clerks process all cases from initial filing to final disposition. The deputy clerks also receive monies involved in civil cases, post the funds to the appropriate accounts and ledgers, and disperse said funds as required by law.

The Small Claims Division of the Court handles claims for money due not to exceed Six Thousand Dollars (\$6,000.00). Small claims filings may be made by citizens with or without the assistance of an attorney. The deputy clerks assigned to the Civil Division also handle the complaints filed in the Small Claims Division. They schedule hearings and trials and receive, post, and disperse money as required by law.

In 2017, the Civil Division had total monetary receipts, which includes Civil, Small Claims and Tenant/Landlord, of \$1,045,401.85 and disbursed the sum of \$1,057,679.32 in the conclusion of its cases.

## **CASES FILED AND TERMINATED**

The Court reports monthly the number of cases filed, reactivated, and terminated to the Supreme Court of Ohio. The reporting method established by the Supreme Court is based upon the assumption that the Court has more than one judge, and the Supreme Court requires that this report method be used by all courts even if the court has only one judge. The reports that are required to be filed are called the Administrative Judge Report (AJR) and the Individual Judge Report (IJR).

All cases initially filed with a court are listed as new cases and are filed on the Administrative Judge Report. If a defendant in a criminal or traffic case pleads not guilty to a charge, the case is transferred to the Individual Judge Report and all activity of the case is thereafter reported on the Individual Judge Report. In civil cases, if a defendant answers a complaint or if a motion is filed that would require a ruling by the Judge or Magistrate, the case is transferred to the Individual Judge Report.

There were 25,810 cases filed and reactivated on the Administrative and Individual Judge Reports in 2017. This number includes all new traffic, criminal, civil and small claims cases filed in 2017, and all pending cases that were reactivated. A case is reactivated when a party who was previously unavailable becomes available to proceed with the case. A reactivated case may be from an earlier calendar year.

There were 19,576 cases on the Administrative Judge Report and 3,560 cases on the Individual Judges report that were heard, decided, and settled in 2017. There were 1,431 felony, criminal, and traffic cases and 656 civil and small claims cases pending before the court on December 31, 2017, that had not yet been completed.

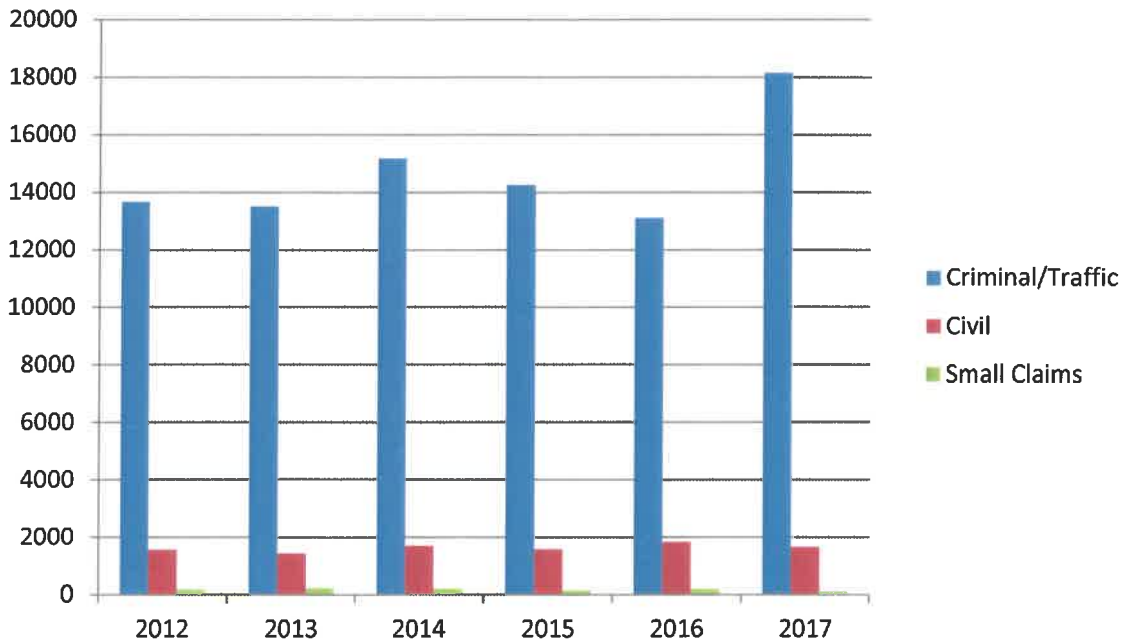
Felony cases and small claims cases are only reported on the Administrative Judge Report.

# ANNUAL CASE FILINGS

## Calendar Year 2017 Cases

Criminal and Traffic Cases	18,156
Civil Cases	1,665
Small Claims Cases	102

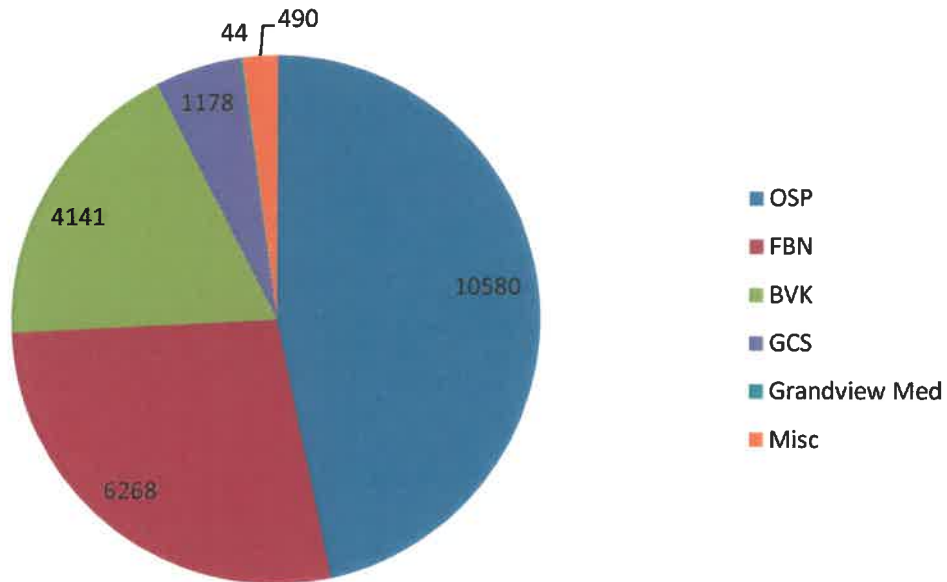
## Historical Comparison: Calendar Years 2012-2016



The chart above represents the total number of cases filed in the Fairborn Municipal Court, in all its divisions, for the last five calendar years for comparison purposes. The total caseload for 2017 saw an increase of approximately 24% from calendar year 2016.

## Charges Filed by Police Jurisdiction in 2017

Each case filed with the Court may include several individual charges arising out of a single incident. Below is a breakdown by police agency of traffic and criminal charges filed in 2017.



*OSP*: Ohio State Patrol; *FBN*: Fairborn Police Department; *BVK*: Beavercreek Police Department; *GCS*: Greene County Sheriff; Grandview Medical Center; and Miscellaneous filings.

## 2017 Receipts and Disbursements

### Criminal / Traffic Division

#### Receipts

Fairborn Parking Tickets	\$8,643.00
Bond Receipts & Overpayments	\$427,566.73
Local Court Costs	\$1,303,946.97
State Court Costs	\$517,440.75
Fines Collected	\$842,113.81
Fees Collected	\$240,705.44
<b>Total Receipts</b>	<b>\$3,340,416.70</b>

#### Disbursements

City of Fairborn	\$1,730,906.73
City of Beavercreek	\$62,573.14
State of Ohio & State Agencies	\$778,640.71
Greene County & County Agencies	\$325,358.65
Miscellaneous Agencies & Sheriff Fees	\$15,370.74
Bond Refunds, Transfers & Overpayments	\$344,827.73
<b>Total Disbursements</b>	<b>\$3,257,677.70</b>

Civil and Small Claims Division

Receipts

Civil	Small Claims	Tenant Landlord	Total
\$1,005,516.93	\$27,983.27	\$11,901.65	\$1,045,401.85

Disbursements

Civil	Small Claims	Tenant Landlord	Total
\$1,012,692.72	\$28,835.09	\$16,151.51	\$1,057,679.32

Includes the sum of \$257,731.49 paid into the City of Fairborn general fund.

## **2017 and Ten Year Comparison-Cases and Distribution**

Criminal / Traffic / Civil / Small Claims / Tenant Landlord / Miscellaneous Cases

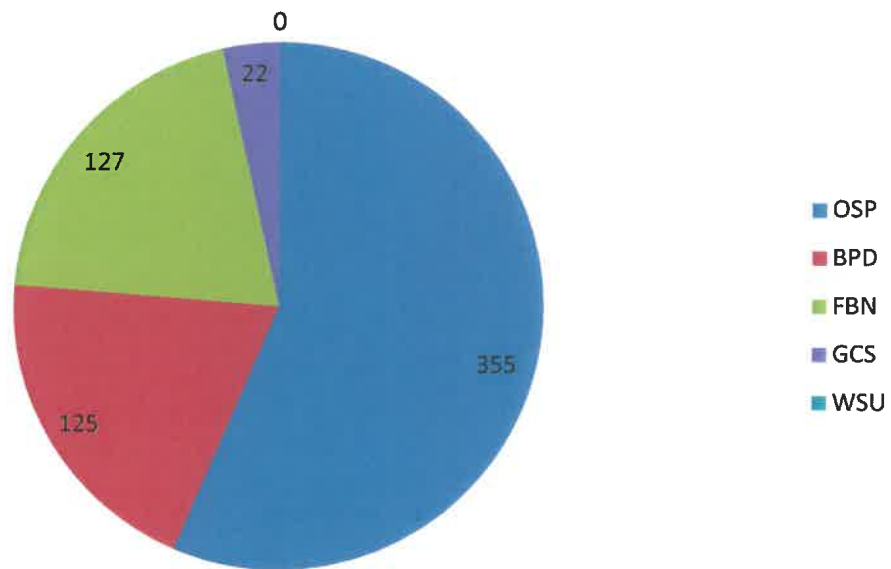
<u>Year</u>	<u>Total Cases</u>	<u># of Charges</u>	<u>Total Distributions</u>	<u>Paid to City of Fairborn General Fund</u>
2007	21,780	25,710	\$3,729,731.05	\$1,185,027.90
2008	21,937	26,018	\$4,073,998.15	\$1,301,590.81
2009	19,188	22,237	\$3,835,738.34	\$1,174,994.28
2010	17,885	19,740	\$3,738,091.72	\$1,143,415.78
2011	16,747	18,772	\$3,709,783.04	\$1,105,398.58
2012	16,948	19,436	\$3,476,880.00	\$1,038,468.42
2013	15,188	19,154	\$3,541,967.08	\$1,008,155.73
2014	17,101	21,677	\$3,497,516.00	\$1,070,397.62
2015	15,993	20,452	\$3,656,482.78	\$1,106,465.09
2016	15,153	19,160	\$3,699,921.44	\$1,157,263.21
<b>2017</b>	<b>19,923</b>	<b>24,933</b>	<b>\$4,315,357.02</b>	<b>\$1,472,225.11</b>



## CASE STATISTICS BY OFFENSE TYPE

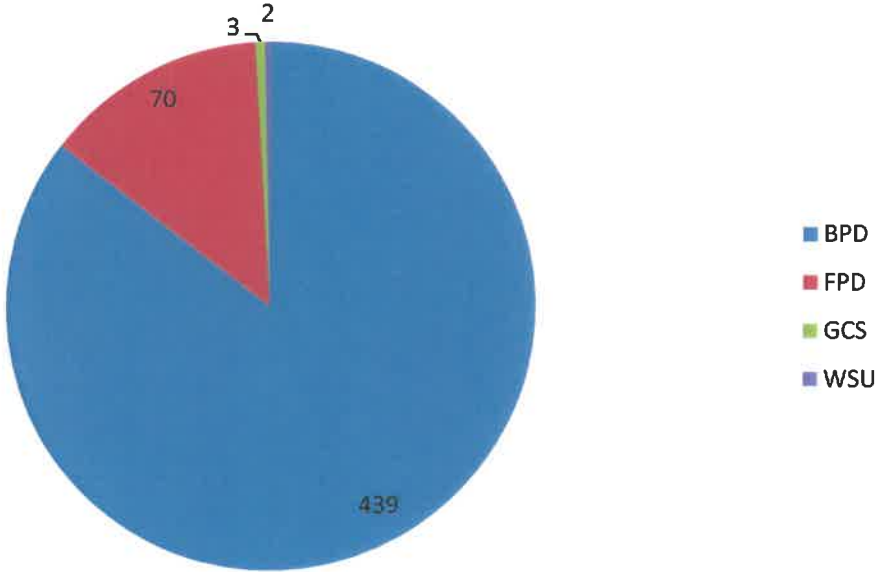
The charts and graphs set forth in the following three pages represent a breakdown by police agency of certain types of cases filed with the Court in 2017. Each case may contain several charges arising out of the same incident. These charts consider only cases filed, regardless of the number of charges associated with an individual case. The chart below represents cases involving Operating a Vehicle While under the Influence of Alcohol and/or Drugs of Abuse.

### 2017 OVI Cases filed by Jurisdiction

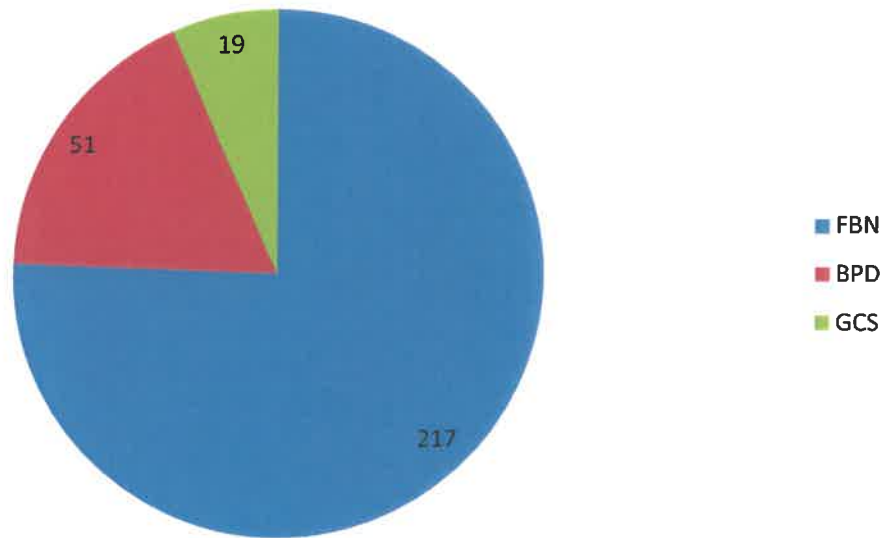


# 2017 Theft Cases Filed By Jurisdiction

The chart below represents a breakdown of all the property theft and related crimes filed in 2017.



## Domestic Violence/Protection Order Cases by Jurisdiction



## Court Fund Receipts and Expenditures

### Special Projects Fund 2017

#### Balances and Revenues

This fund is utilized for the Magistrate Salary and the Court's Paperless Initiative.

Fund Balance as of 01/01/2017	\$241,397.56
Year to Date Revenue	\$217,338.03
Year to Date Expense	\$203,302.17
Outstanding Encumbrances	<u>\$ 20,541.74</u>
Ending Balance 12/31/2017	\$234,891.68

## Court Clerk's Computerization Fund

### **2017** Balances and Revenues

This fund is utilized for the paperless process and conversion of files to electronic form.

Fund Balance as of 01/01/2017	\$377,414.84
Year to Date Revenue	\$144,534.43
Year to Date Expense	\$ 95,342.81
Outstanding Encumbrances	<u>\$ 15,095.98</u>
Ending Balance 12/31/2017	\$ 411,510.48

**Legal Research Fund**

**2017**

**Balances and Revenues**

Fund Balance as of 01/01/2017	\$ 91,970.68
Year to Date Revenue	\$ 20,148.00
Year to Date Expense	\$ 15,227.37
Outstanding Encumbrances	<u>\$ 25,640.81</u>
Ending Balance 12/31/2017	\$71,250.50

**FAIRBORN PROBATION DEPARTMENT**  
**2017**

The Fairborn Municipal Court Probation Department has many responsibilities and duties in connection with the operation of the Court. The basic responsibility of the Probation Department is to supervise those persons convicted of misdemeanor offenses who have been placed on community control sanctions (probation) by the Court. The Court during the course of sentencing may impose specific conditions upon an individual, which are relevant to that individual's specific life circumstances and the offense for which the individual was convicted. For example, for someone convicted of operating a vehicle while under the influence of alcohol or drugs (OVI offense), the Court may require that a drug and alcohol assessment be completed, and that as a specific condition of community control, the person complete any recommended treatment. It is the responsibility of the assigned probation officer to ensure that these orders of the Judge are followed and also to assist the person in accomplishing any other conditions of probation supervision. Probation supervision ensures that the person receives a level of care that will enable the person to avoid repetitive criminal behavior in the future.

The Fairborn Municipal Court Probation Department was assigned 837 new clients for probation during the calendar year of 2017. The average total monthly number of probationers supervised was 789. In an effort to service these individuals, there was a total of 810 treatment referrals made during the calendar year of 2017, with the majority of the referrals made to a drug and alcohol treatment service providers.

The Probation Department has a responsibility to ensure that the Court's orders are followed, but also to provide some measure of public safety if a probationer has failed to meet the obligations of community control. Whenever a probationer has violated the terms or conditions of community control, it is incumbent upon the probation officer to provide a written report to the Court outlining the violations which have occurred and requesting that probation be terminated. This may include issuing an arrest warrant for the probationer for violating the terms and conditions of probation. There were a total of 100 warrants issued during the calendar year of 2017 for the arrest of probationers who had not complied with the Court's orders. There were a total of 70 individuals who had their probation revoked and their suspended sentences imposed by the Court for failure to comply with the Court's orders and community control requirements.

Another responsibility handled by the Probation Department is the preparation of Pre-Sentence Investigations (PSI) Reports. These reports are prepared at the direction of the Court for the purpose of assisting the Court in determining the appropriate sentence for a particular individual. The Court refers a case to the Probation Department after a guilty plea or finding of guilt has been entered on the record for a particular individual. After an offender is referred for a PSI, he or she is interviewed by the Probation Department and certain basic social background information is obtained from the offender. The offender is also provided the opportunity to provide a written statement to the Court as to the circumstances of the offense of which he or she has been found guilty. The follow-up investigation would consist of reviewing all police reports and victim impact statements which may be submitted, as well as interviewing the victims if deemed necessary. Restitution figures are determined during the course of the PSI as well as a determination made as to any special needs of this particular defendant relating to treatment or counseling. This information is compiled into a report and provided to the Judge, along with a recommendation as to sentencing for this particular offender.



The Court then uses this report as its basis for determining the sentencing in a specific case. There was a total of seven (7) PSI's that were ordered and completed for the 2017 calendar year.

There are a number of other tasks which have fallen upon the Probation Department to assist the Court in achieving its goals. One such responsibility is the referral of those offenders who may have been ordered to a specific treatment program, but have not been placed on community control. Examples include referrals to attend a Driver's Intervention Program (DIP) for offenders convicted of OVI, or attendance and completion of a parenting class for those persons who have been convicted of Child Endangering. While the Court may feel that community control supervision may not be necessary in these individual cases, there is still a requirement for the offender to complete the program as instructed, and it is the responsibility of the Probation Department to see to it that the Court's orders have been followed.

The Probation Department has also been responsible for the processing of applications for sealing the records by those people who have been convicted of criminal offenses and are requesting that their records of conviction be sealed. This process includes verification of their eligibility as well as determining the appropriate timeliness of the application. There were a total of 148 applications for sealing of record filed during the 2017 calendar year.

In October of 1997, an additional position of Administrative Aide was added to the Probation Department. This position was made possible through funding from grant money available from the Community Corrections Act to implement jail diversion programs. Due to the increasing numbers of individuals sentenced to incarceration and the limited jail space available, state funding became available so Courts could explore other avenues or alternatives to incarceration. The Administrative Aide was then made an official Probation Officer with the Fairborn Municipal Court Probation Department when Ohio Department of Rehabilitation and Correction severely cut these grants for municipal courts.

The Community Service Program was established in the Fairborn Municipal Court in 1978 and is administered through the Court's Probation Department. The Program is designed to give nonviolent offenders the opportunity to perform some type of labor for government agencies and nonprofit organizations in lieu of incarceration. The Court sentences an offender to a jail term and suspends the jail term on the condition the offender perform work in the Community Service Program. Community Service allows the Court to assign community service hours in lieu of jail, thus avoiding jail costs. All Community Service referrals are interviewed by the Court's Probation Department. This process allows determination of the type of work the offender is able to perform. When possible, the defendant has a work assignment that fits his/her special talents. Release of Claims forms are signed by the offender releasing the Court, the City, and the participating agency from any and all claims. The offenders are provided a date to return to Court at the time of the initial interview. This procedure is to ensure compliance with the planned hours. During 2017, the Court assigned a total of 163 participants to the program. A total of 3499 community service hours were completed.

The Court may use the option of Electronic Monitored House Arrest (EMHA) in lieu of jail or in conjunction with a jail sentence, providing the Court with more flexibility in sentencing an offender while also helping to alleviate the jail overcrowding situation.

The offender is responsible for the cost of the EMHA, currently set at \$9.00 to \$11.00 per day, depending on the level of usage. EMHA consists of the offender being outfitted with a radio transmitter, placed around his/her ankle or wrist, which transmits a signal to a base unit in the offender's residence. The offender on EMHA can also be afforded the opportunity of a work release which allows the offender to continue with his employment while on house arrest. The Court also has the option of requiring that an alcohol monitoring system be installed in conjunction with EMHA, so that the Court can ensure that an offender cannot consume alcoholic beverages while on house arrest.

There is an additional fee per day for this service. There were 179 individuals assigned for processing on EMHA during 2017. This resulted in a savings of \$441,407.00 to the Greene County Jail. Of those placed on EMHA, 4 offenders were revoked for violation of the conditions of EMHA.

The Probation Department has also been assigned the responsibility of monitoring Court ordered restitution payments. In certain cases, as part of the sentence imposed, the Court may instruct a particular offender to make restitution for financial losses that were incurred as a result of his/her actions. The Probation Department monitors this restitution payment and, when proof of restitution has not been provided by the offender as instructed by the Court, will notify the Court of this lapse. The total number of restitution cases supervised for the year 2017 was forty-five (45). A total of \$12,677.12 was collected and paid to victims.

The TIP program (Traffic Intervention Program) was implemented in August, 2008. This program provides information and assists offenders who have been issued citations for Driving under Suspension or Failure to Reinstate. The goals of the program are to divert cases from the court's docket, to determine what is needed to obtain a valid driver's license, and to provide this information to the offender so they can obtain a valid driver's license within 120 days of their first arraignment date. The defendant is also required to obtain insurance, thereby increasing the number of valid licensed drivers in our community. The success of the program is determined by the number of offenders who are able to obtain a valid driver's license within 120 days. In 2017, 521 cases were referred to the program, and 371 individuals successfully completed the program, for a 71% success rate.

The Fairborn Municipal Drug Court (FMDC) was implemented on September 15, 2015, and received final certification from The Ohio Supreme Court as a specialized docket on December 11, 2015. The Drug Court was recertified on September 8, 2017. The mission of the FMDC is to provide a therapeutically oriented, court managed, medically assisted drug intervention treatment and monitoring program that assists participants with a drug dependency diagnosis in developing a sober life style through evidence based intervention and the appropriate alcohol/drug/mental health treatment in a non-adversarial approach, as an alternative to traditional case processing. The Fairborn Municipal Court receives a Specialized Dockets Payroll Subsidy Project Grant from the Ohio Department of Mental Health and Addiction Services. The grant helps cover personnel expenses, both salary and benefits, for the probation officer who supervises the Fairborn Municipal Drug Court caseload. There are currently 10 individuals who are still actively participating in the program. In 2017, there were 3 successful completions of the program and 6 unsuccessful completions of the program.

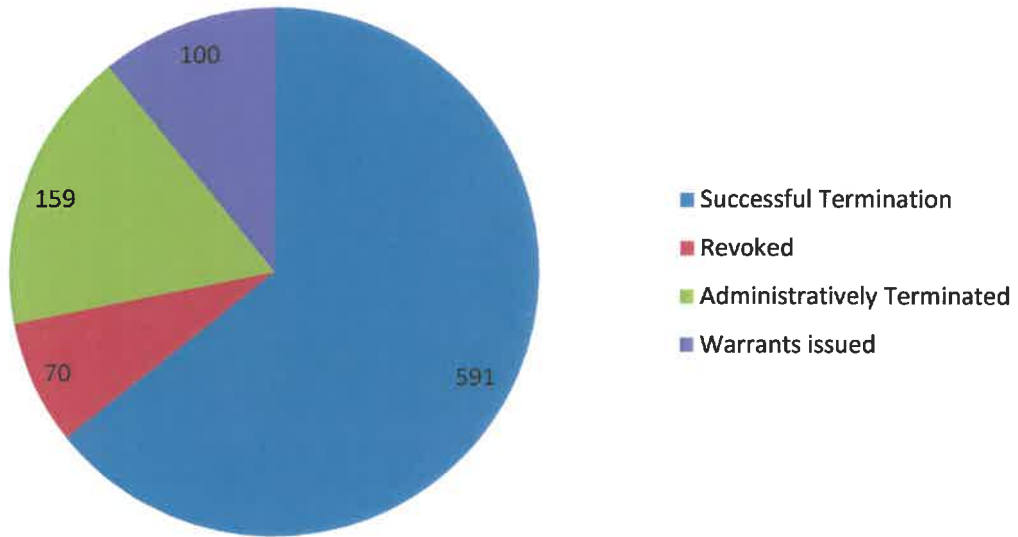
Another sentencing tool used by Fairborn Municipal Court is the Greene Leaf Program. The Greene Leaf Therapeutic Community was established in 2002 by the Greene County Common Pleas Court and the Fairborn Municipal Court began participating in the program in 2008. The program is a jail-based therapeutic community which lasts either 90 days or six (6) months. The therapeutic community is a specific treatment modality used widely throughout the United States. This modality uses a "community of peers" to change thinking and reshape behavior, thereby promoting pro-social living. A therapeutic community is a highly structured, disciplined, yet positive environment in which people who have similar treatment issues learn to live and work together to better their lives. The adherence to a disciplined, orderly environment fosters treatment for offenders and addicts who have lived in chaotic, disruptive and anti-social settings.

This treatment modality holds people immediately accountable for aberrant thinking and behavior, and then challenges them to make positive changes, and to achieve satisfaction through personal and group accomplishment. "Community Members" earn privileges and rewards as they progress through a program that has high expectations of each participant and for the "community". In this way, participants learn that they are responsible for their actions. Further, they learn how to take charge of their lives in a pro-social manner and learn how to be role models for others. Although the individual is in the Greene County jail for this program, the individual is learning positive skills to utilize upon his/ her release. In 2017, there were 23 defendants referred to this program and 13 have completed the program successfully. Four were administratively discharged, and 7 are still in the program, for a graduation rate of 81%.

In November, 2017, the Fairborn Municipal Court Probation Department applied for and was awarded an 18 month grant from the Ohio Department of Rehabilitation and Correction for an additional Probation Officer. The Justice Reinvestment and Incentive Grant provides performance based funding to the Courts of Common Pleas, Municipal Courts, County Court Probation Departments and Community Based Correctional facilities to adopt evidence-based practices to reduce the number of offenders on probation supervision who violate the conditions of their supervision. This grant provides funding for an intensive supervision officer. This officer will supervise those offenders facing revocation and place them on intensive community supervision.

In conclusion, it is incumbent upon the Court and its Probation Department to work in close cooperation so that the dual goals of protection of society and the rehabilitation of the offender can occur. Community control sanctions can be effective sentencing tool provided the sanctions are flexible and meets the specific needs of the offender.

## Fairborn Municipal Court Probation Department Terminations

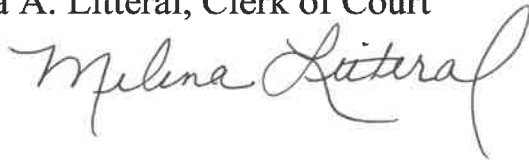


## Certificate

I, Melissa A. Litteral, Clerk of Court of the Fairborn Municipal Court, do hereby certify that the foregoing statistical and financial statements for the calendar year of 2017 were prepared from records maintained in the office of the Clerk of Court and accurately reflect all collections and distributions of the Court as recorded in its official records.

Completed at Fairborn, Ohio, this 16th day of March, 2018.

Melissa A. Litteral, Clerk of Court

A handwritten signature in cursive script that reads "Melissa Litteral". The signature is written in black ink and is positioned below the printed name.