

Fairborn Municipal Court  
2016  
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 store 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, Ohio45324

**Beth W. Cappelli - Judge**

Tamela Womack -Magistrate

Mark J. Donatelli - Court Administrator

Melissa Litteral - Clerk of Court

Wayne Furay - Chief Bailiff

David Boutwell - Chief Probation Officer

The Fairborn Municipal Court submits its annual report for the year ending 2016 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 Office, the Court Administrator and the Fairborn Municipal Court staff. The following are noteworthy figures for the year 2016:

- Total funds disbursed from all sources in 2016 amounted to \$2,789,628.76
- The total number of criminal, traffic, and civil cases filed in 2016 were 19,160 (not including reactivated cases).
- Funds disbursed to the City of Fairborn's general fund in 2016 were \$1,401,369.78.
- The Traffic Intervention Program had a 71% success rate in 2016.

The City of Fairborn furnishes the budget for the Court's operation. However the City of Beavercreek also contributed \$79,187.49 by way of reimbursement to the City of Fairborn as its share for calendar year 2016. This share is based upon Ohio Revised Code Section 1901.026(8), which states that a municipal corporation within the territory of a 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 moneys 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 is attached to this annual report.

## INDEX

Authority and Territorial Jurisdiction	1
Court Personnel	2
Statistics and Financial Information	3
Criminal and Traffic Division	4
Civil and Small Claims Division	5
Cases Filed and Terminated	6-8
Charges Filed by Police Department	9
Criminal / Traffic Receipts and Disbursements	10
Civil / Small Claims Receipts and Disbursements	11
Ten Year Comparison	12
OVI Cases Filed by Jurisdiction	13
Theft Cases Filed by Jurisdiction	14
Domestic Violence/Protection Order Violations Filed by Jurisdiction	15
2016 Budget for Special Projects Fund	16
2016 Budget for Clerk Computerization Fund	17
2016 Budget for Court Legal Research Fund	18
Probation Department	19-23
Probation Department Terminations	24
Certificate	25

## **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.

Fairborn City	32,352
Beavercreek City	45,193
Bath Township	6,420
Beavercreek Township	5,762

4. Territorial Area by square miles, 78.18

## COURT PERSONNEL

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

## STATISTICS AND FINANCIAL INFORMATION

The following represents a statistical and financial breakdown of all criminal, traffic, and civil cases filed with the Court in 2016.

<b><u>Criminal and Traffic Cases</u></b>	17, 124
<b><u>Civil Cases</u></b>	1,840
<b><u>Small Claims Cases</u></b>	196
<b><u>Total Criminal/Traffic Receipts</u></b>	\$2,738,919.36
<b><u>Total Civil and Small Claims Receipts</u></b>	\$903,556.14

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

	2005	2010	2015
Number of Criminal & Traffic Cases	16,072	13,877	14,258
Number of Civil Cases	1,440	1,783	1,583
Number of Small Claims Cases		333	152
Total Criminal/Traffic Receipt	\$2,623,587.38	\$2,791,353.38	\$2,800,924.04
Total Civil/Small Claims Receipts	\$578,327.36	\$873,733.19	\$822,127.47

In 2016, the Court conducted 52 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 require a trial, but the Court received evidence and performed sentencing. There were 28 civil trials held and 105 small claims hearings held. There were also 383 felony cases filed in 2016 with first appearances on those filings scheduled. In addition, numerous other hearings were held and motions ruled on in the course of administering justice in matters before the Court. In 2016, the Court also performed 44 weddings.

## **CRIMINAL AND TRAFFIC DIVISION**

All criminal and traffic citations are filed with the Criminal and Traffic Division of the Court. Six full time clerks are assigned to this division. One clerk in this division was laid off due to budgetary constraints at the end of 2010 and the position has not been filled. However, since 2010 the caseload of the Court has continued to grow, and in 2016 the caseload was approximately 8.3 percent higher than in 2010.

The Court is also fortunate to be involved in an intern program through Cedarville University, Wright State University and the University Of Dayton School Of Law and occasionally other area colleges. Periodically, the court has interns assisting in the court. The intern position is voluntary and the student receives class credit and experience in the criminal justice system as a result of their participation.

The duties of the personnel in the Criminal and Traffic Division include processing all cases from initial filings to final dispositions; 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.

All scheduling for pending cases is performed by the Assignment Commissioners. They are responsible for scheduling hearings, trials, and dispositions and coordinating the calendars of the defense attorney and the prosecuting attorney to efficiently process each case.

## **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 other cases to recover property. Two full time clerks are assigned to the Civil Division. The Clerks process all cases from initial filing to final disposition. The clerks also receive monies involved in civil cases, post the funds, and disperse them as required.

The Small Claims Division of the Court handles claims for money due not to exceed Six Thousand Dollars (\$6,000.00). Prior to September, 2016, the Small Claims Division handled claims for money due not to exceed Three Thousand Dollars (\$3,000.00). Small claims filings may be made by citizens with or without the aid of an attorney. The clerks assigned to the Civil Division also handle the Small Claims Division. They schedule hearings and trials and receive, post, and disperse money as required.

## **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 set established by the Supreme Court is based upon a Court having 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 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.

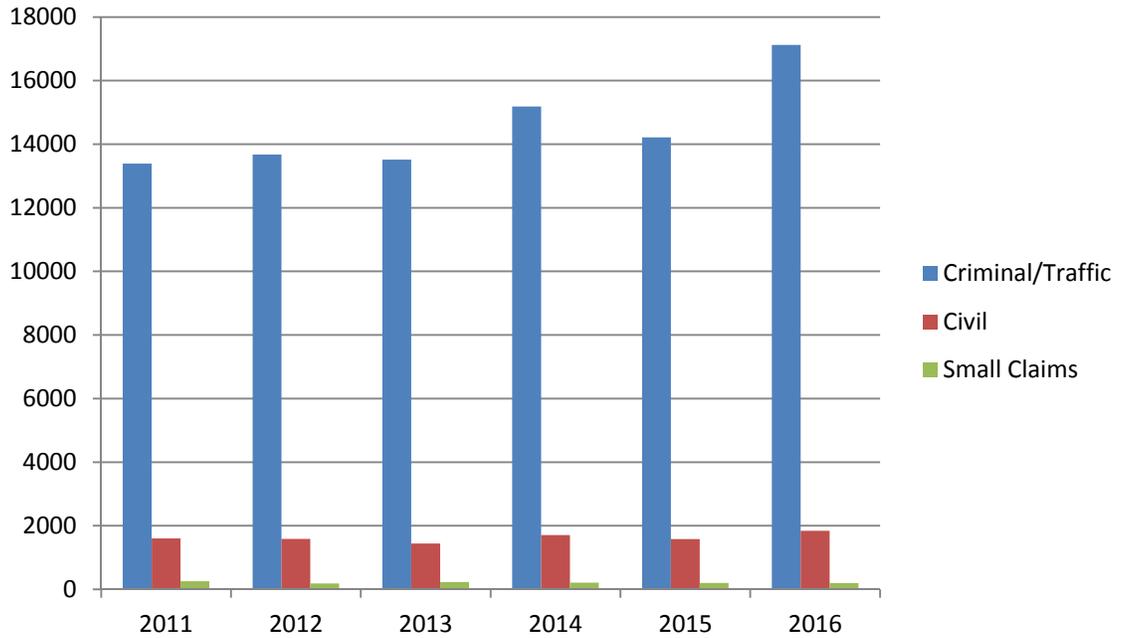
There were 21,225 cases filed and reactivated on the Administrative and Individual Judge Report in 2016. This number includes all traffic, criminal, civil and small claims cases. A case is reactivated when a party who was previously unavailable becomes available to proceed with the case.

There were 12,133 cases on the Administrative Judge Report and 3,488 cases on the Individual Judge Report that were heard, decided, and settled in 2016. There were 806 felony, criminal, and traffic cases and 748 civil and small claims cases pending before the Court on January 31, 2016 that had not yet been completed.

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

# ANNUAL CASE FILINGS

Calendar Years 2011-2016



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. The total caseload for 2016 saw an increase of approximately 7.3% from calendar year 2015.

## **TERMINATIONS**

### **Supreme Court Time Guidelines**

- Time guidelines exist by which every case must be completed or terminated.
- Monthly reports are submitted to the Ohio Supreme Court, which show filings of new cases and terminations of existing cases.

The following Supreme Court time guidelines are applicable to cases filed in the Fairborn Municipal Court.

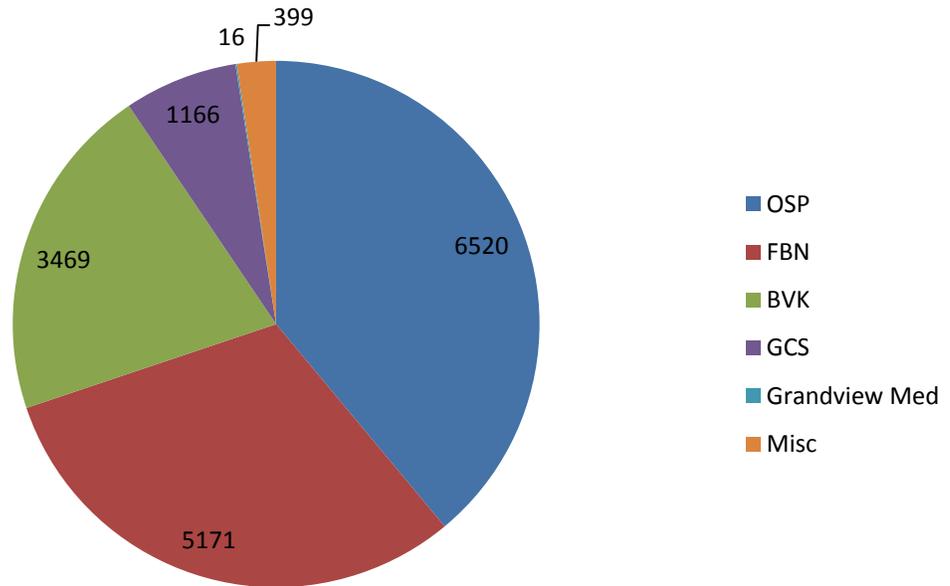
Cast Type		Months to finish
CRA	Criminal – Felony	1
CRB	Criminal	6
TRC	Traffic	6
TRD	Traffic	6
CVE	Civil – Damages	24
CVF	Civil – Contract/Money	12
CVG	Civil – Eviction	12
CVH	Civil – Other	12
CVI	Small Claims	6

### **Case Terminations**

- 15,621 cases were terminated in 2016.
- 19,160 new cases were filed in 2016.
- 81.5 % clearance rate of case termination.

## Charges Filed by Police Jurisdiction in 2016

Each case filed with the Court may include several individual charges arising out of single incident. Below is a breakdown by police agency of traffic and criminal charges filed in 2016.



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

## 2016 Receipts and Disbursements

### Criminal / Traffic Division

#### Receipts

Fairborn Parking Tickets	\$8,850.00
Bond Receipts & Overpayments	\$323,460.79
Local Court Costs	\$1,021,043.37
State Court Costs	\$389,789.60
Fines Collected	\$755,073.80
Fees Collected	\$240,701.80
<b>Total Receipts</b>	<b>\$2,738,919.36</b>

#### Disbursements

City of Fairborn	\$1,401,369.78
City of Beavercreek	\$54,729.86
State of Ohio & State Agencies	\$589,970.11
Greene County & County Agencies	0 \$355,954.76
Miscellaneous Agencies & Sheriff Fees	\$13,434.06
Bond Refunds, Transfers & Overpayments	\$374,170.19
<b>Total Disbursements</b>	<b>\$2,789,628.76</b>

Civil and Small Claims Division

Receipts			
Civil	Small Claims	Tenant Landlord	Total
\$871,429.11	\$22,800.37	\$9,326.66	\$903,556.14

Disbursements			
Civil	Small Claims	Tenant Landlord	Total
\$876,448.03	\$23,353.96	\$10,490.69	\$819,812.04*

\*Includes the sum of \$229,197.95 paid to the City of Fairborn general fund.

## Ten Year Comparison Cases and Distribution

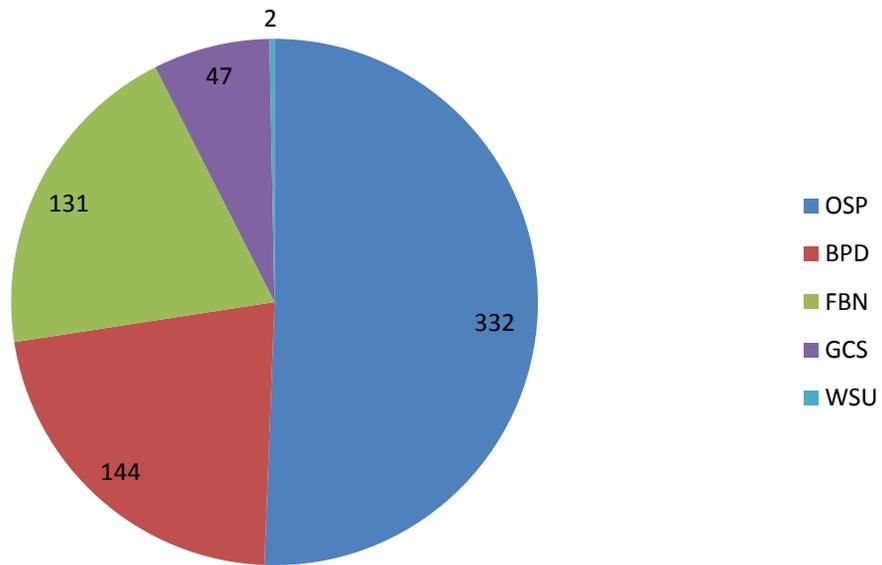
Criminal / Traffic / Civil / Small Claims / Tenant Landlord / Miscellaneous Cases

<u>Year</u>	<u>Total Cases*</u>	<u># of Charges</u>	<u>Total Distributions</u>	<u>Paid to City of Fairborn General Fund</u>
2006	19,926	24,525	\$3,175,303.10	\$1,178,313.25
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	17,037	19,154	\$3,541,967.08	\$1,008,155.73
2014	19,030	21,677	\$3,497,516.00	\$1,070,397.62
2015	18,170	20,452	\$3,656,482.78	\$1,106,465.09
2016	19,160	21,225	\$3,699,921.44	\$1,401,369.78

\*Total case number includes cases that were reactivated in 2016.

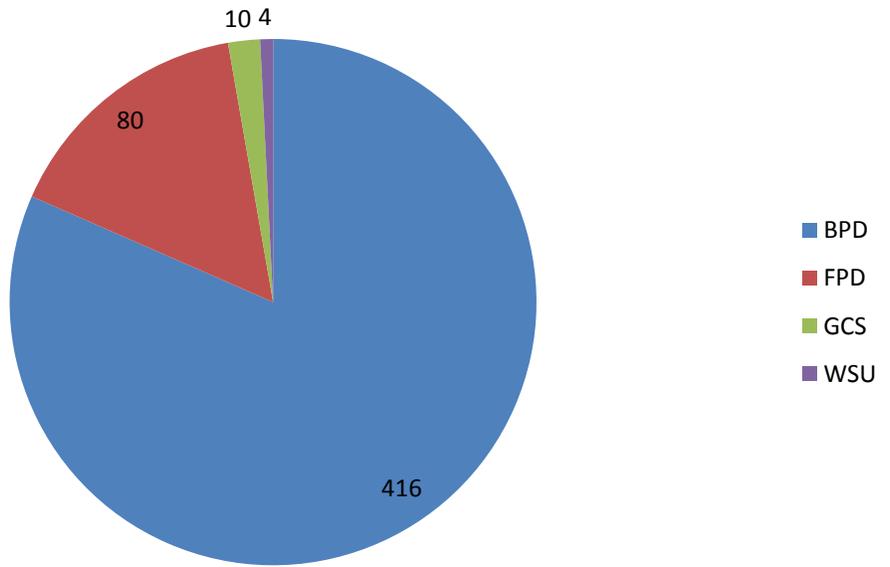
## 2016 OVI CASES FILED

The following charts represent a breakdown by police agency of certain types of cases filed with the Court in 2016. 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 incident. The chart below represents cases involving Operating a Vehicle while under the Influence of Alcohol or Drugs or Abuse.



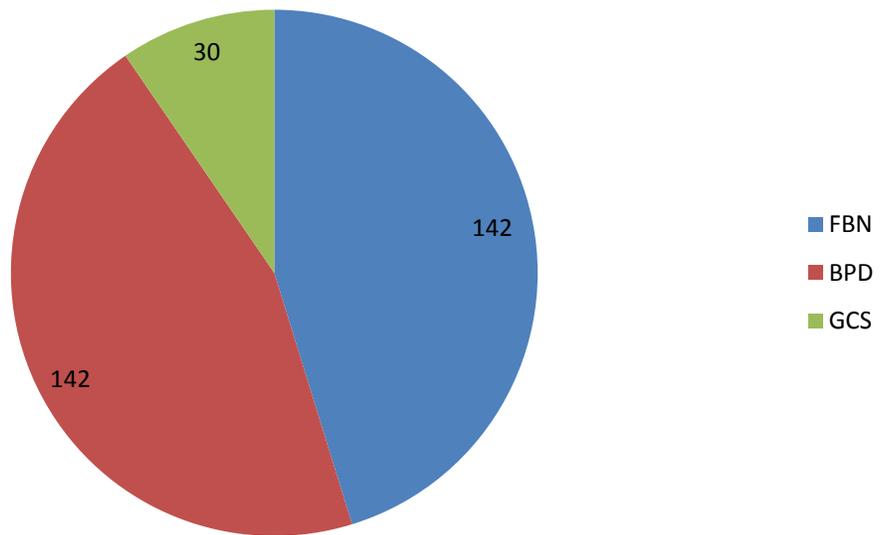
## 2016 Theft Cases Filed

The chart below represents a breakdown of all the property theft and related crimes filed in 2016.



## 2016 Domestic Violence/Protection Order Violation Charges Filed

The chart below represents the total number of domestic violence and family related criminal offenses filed in 2016.



## Court Funds

### Special Projects Fund

#### Projected Balances

Fund Balance as of 12/31/16	\$241,397.56
Projected Revenue	<u>\$175,926.00</u>
Total	\$414,324.36

#### Projected Expenditures

Personnel services: Magistrate and Court Administrator	\$175,874.00
Training and Travel	\$3,500.00
Other Operating Supplies	\$10,500.00
Plant and Operating Equipment	\$29,150.00
Paperless fund; upgrades to electronic infrastructure	\$111,744.00
DVR and security camera upgrades; generator service agreement	<u>49,000.00</u>
Total	\$379,768.00

## Court Clerk's Computerization Fund

### Projected Balance

Fund Balance as of 12/31/16	\$376,386.84
Projected Revenue	<u>\$113,399.00</u>
Total	\$489,785.84

### Projected Expenditures

Personnel Services: 5% of ITS salary (City) and 100% of Electronics Record Manager salary and benefits	\$74,330.00
Training & Travel: including \$5,000 training for eFiling and \$3,500 for eNotice software	\$10,000.00
Repair Service and Maintenance Contracts	\$3,500.00
Operating Supplies	\$2,100.00
Hardware/Software/Miscellaneous Equipment: eNotice module, paperless module, eFiling	\$38,000.00
Contingency Fund: future cost of converting to a paperless court-software and hardware	\$281,737.26
Projected costs of replacement of server/backup server	<u>\$164,000.00</u>
Total	\$474,667.26

Legal Research Fund

Projected Balance

Fund Balance as of 12/31/16	\$87,440.00
Projected Revenue	<u>\$16,303.00</u>
Total	\$103,743.00

Projected Expenditures

Professional Services: Programming towards paperless court and technology support	\$12,000.00
Operating Equipment	\$5,000.00
Computer Software/Hardware	\$19,650.00
Contingency Fund: conversion to paperless court	<u>\$46,465.82</u>
Total	\$83,115.82

**PROBATION DEPARTMENT**  
**&**  
**COMMUNITY RESTITUTION PROGRAM 2016**

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 imposes specific conditions upon the individual, which are relevant to that individual's specific life circumstances. For example, for someone convicted of an 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 recommendation for treatment that may be made as a result thereof. It is the duty of the assigned probation officer to ensure that these orders are followed and also to assist persons in accomplishing the 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.

The Fairborn Municipal Court Probation Department was assigned 873 new clients for probation during the calendar year of 2016. The average total monthly number of probationers supervised was 776. In an effort to service these individuals, there was a total of 774 treatment referrals made during the calendar year of 2016, with the majority of the referrals made to a drug and alcohol treatment service providers.

The Probation Department also 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 the an Order 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 violating the terms and conditions of probation. There were a total of 113 warrants issued during the calendar year of 2016 for the arrest of probationers who had not complied with the Court's orders. There were a total of 92 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 9 PSI's that were ordered and completed for the 2016 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 placed on community control. This may include such referrals as attendance at the 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 158 applications for sealing of record filed during the 2016 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 that Courts could explore other avenues or alternatives to incarceration. This position is currently funded through the calendar year June, 2016. The Administrative Aide of the Fairborn Municipal Court Probation Department is responsible for the Community Service Program, as well as the Social Responsibility Clinic, Restitution, and Electronic Monitored House Arrest, and other programs and alternatives that the Court might use in lieu of incarceration.

The Community Service Program was established in the Fairborn Municipal Court in 1978 and is administered through the Court's Probation Department Probation Coordinator position. The Program is designed to give nonviolent offenders the opportunity to perform some type of labor for government agencies and nonprofit organizations. 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. An attempt is made not to interfere with the offender's employment. 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. The Administrative Aide from the Probation department closely monitors the case until the assignment is completed. During 2016, the Court assigned a total of 179 participants to the program for a total of 4026 community service hours completed.

For any offender not completing the ordered work assignment a warrant is issued for his/her arrest for violation of the Court Order. There were 6 warrants issued in 2016 for failure to complete community service as ordered. There were 3 participants revoked for not completing their community service and jail imposed.

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 \$22.50 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 would allow 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 185 individuals were assigned for processing on EMHA during 2016. This was a savings of \$374,340.00 to the Greene County Jail. Of those placed on EMHA, 7 offenders were revoked for violation of the conditions of EMHA.

The Probation Coordinator 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 Coordinator monitors this restitution payment and, when proof of restitution has not been provided by the offender as instructed by the Court, will prepare a warrant for the offender's arrest. The total number of restitution cases supervised for the year 2016 was 18.

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 2016, 380 cases were referred to the program, and 269 individuals successfully completed the program, for a 71% success rate.

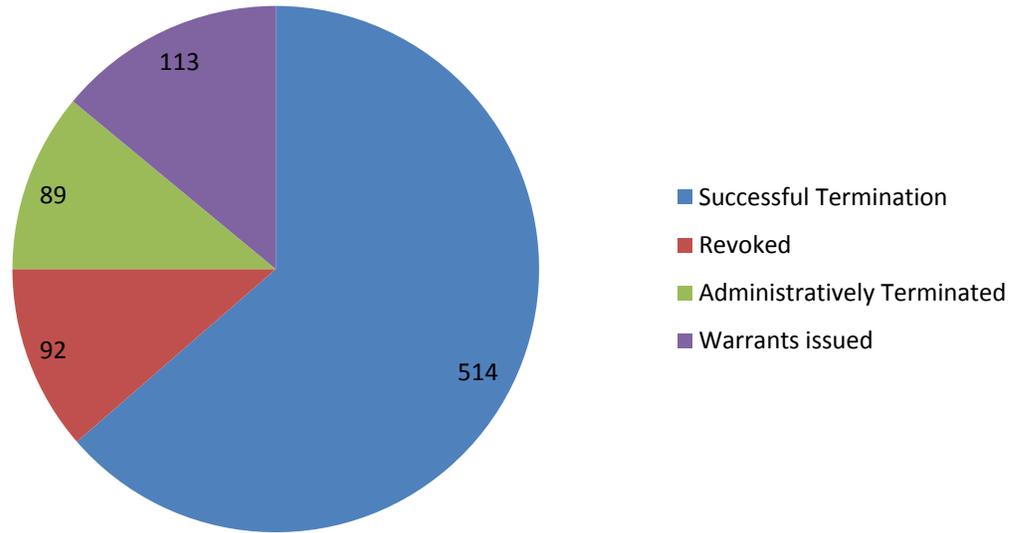
The Fairborn Municipal Vivitrol Drug Court (FMVDC) was implemented on September 15, 2015, and received final certification from The Ohio Supreme Court, as a specialized docket on December 11, 2015. The mission of the FMVDC is to provide a therapeutically oriented, court managed, medically assisted drug intervention treatment and monitoring program that assists participants with an opioid 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. Of the 15, 4 were carried over from 2015 referrals and 2 persons were unsuccessfully discharged. The remaining 13 individuals who entered into the specialized docket all are still actively participating in the program.

Another sentencing tool used by Fairborn Municipal Court is the Greene Leaf Program. Greene Leaf was established in 2002 by the Greene County Common Pleas Court and the Fairborn Municipal Court began participating in the program in 2008. This is a jail-based therapeutic community which lasts either 90 days or six 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 2016, there were 20 defendants referred to this program and so far 14 have completed successfully, 3 were administratively discharged, and 3 are still in the program.

In conclusion, it is incumbent upon the Court and its Probation Department to work in close cooperation so that the responsibility for protection of society as well as the rehabilitation of the offender can be met. Community Control can be effective as long as it remains flexible in meeting the needs of the Court, as well as meeting the needs of the clients it serves.

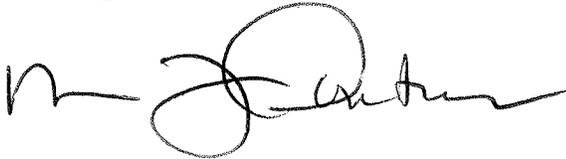
## Fairborn Municipal Court Probation Department Terminations



## Certificate

I, Mark J. Donatelli, Court Administrator of the Fairborn Municipal Court, and 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 2016 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 15th day of March, 2017.



Mark J. Donatelli, Court Administrator



Melissa A. Litteral, Clerk of Court