

# 2017 Annual Report

## Randall T. Ullom

Law Director & City Prosecutor



January 31, 2018

# INDEX

|  | Page  |
|--|-------|
| I. Civil Report .....                            | 3     |
| A. Civil Activities.....                         | 3     |
| 1. Council.....                                  | 3     |
| 2. Legislation Services Provided .....           | 3-5   |
| 3. Legal Opinions.....                           | 5     |
| B. Administration .....                          | 6     |
| 1. Contact with Administration.....              | 6     |
| 2. Outside Counsel.....                          | 6-7   |
| C. Board of Education .....                      | 7     |
| D. Litigation.....                               | 7     |
| 1. Civil Litigation.....                         | 7     |
| 2. Self-Insured Claim Adjusting Report .....     | 7     |
| E. Miscellaneous Areas of Service.....           | 7-9   |
| F. Grants Received.....                          | 10    |
| II. Criminal Report .....                        | 11    |
| A. Criminal Prosecutorial Responsibilities.....  | 11    |
| B. Criminal Statistics.....                      | 11    |
| C. Senate Bill 2/Victim Rights Legislation ..... | 12    |
| D. Family Violence Unit .....                    | 12    |
| E. Law Enforcement Training.....                 | 13    |
| F. Attorney Training .....                       | 13    |
| G. Township Zoning Violation.....                | 13    |
| H. Budget Crisis .....                           | 13-14 |
| III. How Did We Do Meeting 2017 Goals?.....      | 15    |
| IV. Goals for 2018 .....                         | 16    |

# ANNUAL REPORT

## 2017

### I. Civil Report

#### A. CIVIL ACTIVITIES

##### 1. Council

- a. Under the Ohio Revised Code, the Law Director is the civil attorney for all City departments, City Administration, City Council, City Boards, and the Lancaster Board of Education. The Law Director's office attends all council and board meetings, as well as special meetings when requested.

##### 2. Legislation Services provided

##### d. Yearly Statistics

| YEAR | ORDINANCES | RESOLUTIONS |
|------|------------|-------------|
| 1996 | 57         | 221         |
| 1997 | 94         | 134         |
| 1998 | 76         | 146         |
| 1999 | 70         | 177         |
| 2000 | 42         | 167         |
| 2001 | 43         | 186         |
| 2002 | 59         | 146         |
| 2003 | 82         | 157         |
| 2004 | 85         | 214         |
| 2005 | 91         | 179         |
| 2006 | 57         | 180         |
| 2007 | 65         | 184         |
| 2008 | 64         | 175         |
| 2009 | 42         | 182         |
| 2010 | 29         | 159         |
| 2011 | 30         | 182         |
| 2012 | 33         | 199         |
| 2013 | 38         | 188         |
| 2014 | 34         | 149         |
| 2015 | 38         | 138         |
| 2016 | 36         | 136         |
| 2017 | 41         | 146         |

- e. Ordinances/Resolutions of interest.
1. A resolution declaring the necessity for an election to renew the city parks operating levy and an ordinance to codify the renewed parks levy approved by the city electorate. (Resolution 4-17 and Ordinance 1-17)
  2. An ordinance amending the city zoning map with 184.264 acres on the west side of Whiley Road and north of Royalton Road. (Ordinance 2-17)
  3. An ordinance to clarify, update, and comply City Council rules to the requirements of the Ohio Revised Code. (Ordinance 4-17)
  4. An ordinance to authorize a Master Equipment Lease Purchase Agreement for LDOT to purchase new equipment. (Ordinance 7-17)
  5. An ordinance to authorize a Master Equipment Lease Purchase Agreement for the Parks Department to purchase new equipment. (Ordinance 8-17)
  6. Several ordinances granting or receiving easements and rights of way. (Ordinance 9-17, 16-17, 17-17, 20-17, 23-17, 24-17, 25-17, 26-17, 32-17, and 33-17)
  7. Several ordinances adopting new technical codes within the Lancaster Codified Ordinances. (Ordinance 11-17, 12-17, 13-17, 14-17 and 15-17)
  8. An ordinance accepting the final plat for the Ewing Street Business Park. (Ordinance 3-17)
  9. Several ordinances for the issuance and sale of notes. (Ordinance 6-17, 29-17, 30-17, and 31-17)
  10. Several ordinances to clarify and update the local Building and Zoning Code. (Ordinances 19-17, 22-17, 28-17, and 41-17)
  11. Various pay and benefit ordinances. (Ordinance 10-17, 21-17, 34-17, 35-17, 36-17, 37-17 and 38-17)
  12. An ordinance amending capacity charge for water. (Ordinance 18-17)
  13. An ordinance authorizing donation of unclaimed property in the possession of LPD. (Ordinance 27-17)
  14. An ordinance to accept 26 acres of land for the parks and bike trail from the Fairfield County Land Reutilization Corporation. (Ordinance 39-17)
  15. An ordinance to amend the Rules of Council. (Ordinance 40-17)
  16. Numerous resolutions were passed to conduct infrastructure improvement projects for sewer lining, Glassco Park Pump Station, 2017 Paving Program, sanitary sewer extension projects, gas line extensions, and street improvements. (Resolutions 6-17, 17-17, 28-17, 37-17, 60-17, 62-17, 63-17, 67-17, 68-17, 69-17, 76-17, 80-17, 82-17, 85-17, 96-17, 97-17, 98-17, 106-17, 12-17, 126-17, 127-17, and 140-17)
  17. Resolution for the Sanitation Department to purchase a new front loader garbage truck from the NJPA Cooperative Purchasing Program and the purchase of land and new facilities. (Resolutions 19-17, 73-17 and 74-17)

18. Resolution to purchase four new transit vehicles. (Resolution 21-17)
19. Resolution accepting the resignation of Mayor Brian Kuhn. (Resolution 20-17)
20. Numerous resolutions seeking grant funding from VAWA, JAG, FTA, OEPA, CDBG, and others to off-set use of taxpayer money to fund and operate city departments, community programs, and infrastructure costs. (Resolutions 18-17, 22-17, 36-17, 39-17, 40-17, 41-17, 42-17, 46-17, 51-17, 61-17, 69-17, 101-17, and 111-17)
21. Resolutions accepting negotiated collective bargaining agreements with city union organizations (Communication Technicians, FOP Officers, IAFF, and AFSCME) (Resolutions 14-17, 138-17, 139-17, and 143-17)
22. Resolution to auction unneeded city property by internet or otherwise. (Resolution 23-17)
23. Resolution to join other municipalities in right-of-way (SB 331) litigation. (Resolution 34-17)
24. Resolution to join other municipalities in tax collection (HB 49) litigation. (Resolution 108-17)
25. Resolution for city cemetery maintenance and upgrades (Resolution 43-17)
26. Resolution to purchase new street sweeper for LDOT. (Resolutions 78-17 and 131-17)
27. Resolution to purchase Transit Department software using grant money. (Resolution 70-17)
28. Resolutions approving two new assistant prosecuting attorneys in the Law Director and City Prosecutor's Office. (Resolutions 65-17 and 83-17)
29. Resolutions to negotiate new prosecution contracts in the Law Director and City Prosecutor's Office. (Resolutions 116-17, 117-17 and 118-17)
30. LPD cruiser donations to Lancaster City Schools and Eastland-Fairfield Career and Technical School. (Resolutions 93-17 and 94-17)
31. Resolution to adopt 2017 Natural Hazard Mitigation Plan. (Resolution 122-17)
32. Resolution approving two-year renewal contract with the Fairfield County Health Department. (Resolution 134-17)
33. Resolutions approving objections to liquor license renewals for two local businesses. (Resolutions 144-17 and 145-17)
34. Resolution approving 2018 city budget. (Resolution 141-17)

### 3. **Legal Opinions**

The Law Director issues oral and written legal opinions upon request of Council or City Administrators. The Law Director encourages written opinions so that the City develops an archive for the future to assist the City on difficult issues.

## **B. ADMINISTRATION**

### **1. Contact with Administration**

The Law Director and his staff provided advice, assistance, and opinions to the Mayor, Service-Safety Director, Engineer, Auditor, Treasurer, and all department heads upon request. Our office also assisted the Planning Commission, Certified Building Department, Board of Zoning Appeals, Historic Lancaster Commission, Engineering, City Council, and the Lancaster City Schools on a broad range of legal issues. The Law Director & Assistant Law Director meet regularly with the administration of the City to assist with continued information sharing.

### **2. Outside Counsel**

#### **a. Bond Counsel – Squire, Patton & Boggs**

The City continues its bond counsel relationship with Allison Binkley, a Principal at Squire, Patton & Boggs in Columbus.

#### **b. Labor Counsel – Fishel, Hass, Kim, Albrecht & Downey, LLP**

The Law Director partnered with outside counsel to handle the labor negotiations and labor contract disputes for the City. Our office did consult with City departments on daily labor issues, i.e. payroll, status of contracts, layoffs, benefits, and family leave.

The Law Director & Administration utilize Attorney Marc Fishel for assistance on questions and procedures involving employment and labor issues.

#### **c. Construction Law Counsel – Bricker & Eckler**

This firm was retained to assist with the Glassco Park Pump Station construction project this year and, in particular, attorneys Mark Evans, Jeff McSherry, and Jack Rosati in Bricker's construction law division. Bricker and Eckler are retained to work on all aspects of City construction law on an as needed basis.

#### **d. Energy Council – Bricker & Eckler**

This firm was retained to provide special energy counsel for the re-negotiation of the City's Governmental Electric Aggregation Program. Attorneys Glenn Krassen and Dave Stinson prepared bid documents, and assisted in the selection and contracting of the Program's energy provider. The Aggregation Program allows City of Lancaster residents and small commercial businesses to join together their buying power to receive the best rate for electricity.

#### **e. Workers Compensation Counsel – Fishel, Hass, Kim, Albrecht & Downey, LLP**

Attorney Dave Riepenhoff has been retained to represent and defend the City of Lancaster in several employee appeals of the Bureau of Workers' Compensation denial of benefits.

#### **f. Special Prosecutor – Various**

Special Prosecutors were retained in several criminal cases/investigations in which the Law Director & City Prosecutor's Office had a conflict of interest that prevented us from investigating and prosecuting the case. In an effort to save taxpayer money, we trade special prosecution services with other jurisdictions and try to utilize the Ohio Attorney General's

Office as needed.

- g. Insurance Carrier Appointed Outside Council - Various

The city's insurance carriers appoint various outside legal counsel to litigate lawsuits filed against the city in which the insurance carrier is providing coverage on the claim.

## C. BOARD OF EDUCATION

Pursuant to Section 3313.35 of the Ohio Revised Code, the Law Director represents the Board of Education of the Lancaster City School District. Due to budgetary constraints, the superintendent of Lancaster City Schools notified the Law Director in 2007 that the School System intended to begin utilizing the Law Director for legal representation. The Law Director's office has worked on a number of projects in 2017 for the superintendent, including school bus safety issues, construction issues, and use and access issues with the Lancaster School Network television station.

## D. LITIGATION

### 1. Civil Litigation

- a. Civil litigation for the City in 2017 entailed seventeen (17) active cases involving community block grant mortgage foreclosures, allegations of personal injury, allegations of federal and state law violations, declaratory relief actions, construction law claims, and constitutional law challenges. The Law Director's Office is actively litigating these cases internally and, in some cases, with the assistance of outside counsel. Due to the nature of civil litigation, additional details regarding these pending civil litigation cases is attorney/client privilege and/or work product privilege, but will be made available to City Council members for review.

### 2. Self-Insured Claims Adjusting Reports

- a. The City received 17 insurance claims in 2017 involving vehicle and property damage. Of those 17 claims, 16 have been denied and the remaining one was paid by the Gas Department. The Law Director's Office assumed this responsibility in 2006 in order to save the City approximately \$20,000/year. The Law Director's Office, in conjunction with the City's insurance agent, investigates and reviews these claims against the City in the context of governmental immunity provided in the Ohio Revised Code. Due to the nature of these claims, additional details regarding their review and disposition is attorney/client privilege and/or work product privilege, but will be made available to City Council members for review.

## E. MISCELLANEOUS AREAS OF SERVICE

### 1. General Services

- a. Hours of Operation

Due to the relocation of the Law Director & City Prosecutor's Office in April, 2016 to the new Fairfield County Municipal Courthouse, we had to change our office hours to conform to the building's hours of operation. Our office is now open from 7:45 a.m. to 4:15 p.m., Monday through Friday, and closed all Federal Holidays. Due to the nature of what we do these hours are often expanded by attorneys and staff to fulfill our professional duties and responsibilities (i.e. jury trials, City Council and City Board meetings, etc.).

b. Down Payment Recovery

The Law Director has assisted with the coordination of the Community Development Block Grant Program and assists in recovery of down payments through foreclosures and bankruptcy procedures.

c. Collections on Damage to City Property

Since 1998, the Law Director's Office conducted collection proceedings for the departments of the City when City property has been damaged. (i.e. fire hydrants and electrical poles) In 2017, our office obtained judgments, collected, and/or forwarded to a private collection company Sixty-Two Thousand Four Hundred Thirty-Five Dollars and Ninety Cents (\$62,435.90) in an attempt to reclaim taxpayers' money. Since 1998, we have worked to recover \$445,319.66 of which we have successfully collected \$395,046.56 to date.

d. Special Assessment of Code Enforcement Violations

One responsibility of the City's Code Enforcement Officer is to notify property owners of code violations. These violations are received by phone, email, or observed by the Code Enforcement Officers. Once the violation has been received the Code Enforcement Officer moves forward to notify the property owner of the need for abatement. If the abatement is not addressed in a reasonable amount of time, the Code Enforcement Officer will then have the abatement corrected pursuant to City ordinances. The abatement services performed by the company hired by the Code Enforcement Officer range from mowing and property maintenance, to securing a vacant business, and/or complete demolition of a structure or structures. The Code Enforcement Office contracts with companies that correct the abatement, invoices the Code Enforcement Office which pays the invoice, and forwards a copy of the invoice to the Law Director's Office for special assessment.

The Law Director's Office receives the invoice from the Code Enforcement Office and must keep an annual spreadsheet tracking property owner, parcel number, address, service, and cost of the assessment. The Law Director's Office then compiles all the information and files the special assessments annually with the County Auditor's Office on the first Monday in September pursuant to Ohio Revised Code. The County Auditor's Office then places the assessment on the real property tax duplicate and it is billed to the property owner via real estate tax. Should a property change hands, the amount assessed, must be paid in full to the County Auditor Office or the closing cannot take place. The County Auditor's Office then reports the receipt of the assessment and the City receives their portion by check and those funds are placed back into the General Fund.

The Law Director's Office started the real property special assessment process in 1998. In May 11, 2009, City Council passed Permanent Ordinance 9-09, approving an administrative processing fee on the real property every time abatement occurs. Total assessments since 1998 total \$358,229.96 that have been or will be reimbursed to the General Fund as referenced in the chart below. By request of the county auditor, 2014 and future assessments are listed as combined yearly totals and not broken down by category.



| Code Enforcement Special Assessments Filed |             |            |            |            |              |
|--|-------------|------------|------------|------------|--------------|
| Year                                       | Mowing      | Demolition | Secure     | Clean up   | Yearly Total |
| 1998                                       | \$0.00      | \$ 0.00    | \$ 0.00    | \$ 85.00   | \$ 85.00     |
| 1999                                       | \$ 240.00   | \$ 0.00    | \$ 0.00    | \$ 0.00    | \$ 240.00    |
| 2000                                       | \$ 874.00   | \$ 0.00    | \$ 0.00    | \$ 0.00    | \$ 874.00    |
| 2001                                       | \$ 1,380.00 | \$6,940.00 | \$ 0.00    | \$ 0.00    | \$ 8,320.00  |
| 2002                                       | \$ 1,628.00 | \$3,640.00 | \$ 0.00    | \$ 281.88  | \$ 5,549.88  |
| 2003                                       | \$ 2,233.00 | \$4,744.00 | \$ 0.00    | \$ 0.00    | \$ 6,977.00  |
| 2004                                       | \$ 2,376.30 | \$7,400.00 | \$9,699.00 | \$ 51.00   | \$19,526.30  |
| 2005                                       | \$ 3,848.99 | \$ 0.00    | \$ 0.00    | \$ 170.00  | \$ 4,018.99  |
| 2006                                       | \$ 2,913.20 | \$ 0.00    | \$3,500.00 | \$1,452.00 | \$ 7,865.20  |
| 2007                                       | \$ 3,360.60 | \$ 0.00    | \$2,857.00 | \$ 480.00  | \$ 6,697.60  |
| 2008                                       | \$ 5,392.00 | \$9,200.00 | \$1,135.00 | \$ 0.00    | \$15,727.00  |
| 2009                                       | \$12,761.11 | \$ 0.00    | \$ 0.00    | \$ 0.00    | \$12,761.11  |
| 2010                                       | \$27,305.00 | \$ 0.00    | \$4,457.43 | \$ 0.00    | \$31,762.43  |
| 2011                                       | \$16,949.00 | \$ 0.00    | \$ 0.00    | \$ 0.00    | \$16,949.00  |
| 2012                                       | \$20,055.20 | \$ 0.00    | \$ 0.00    | \$ 0.00    | \$20,055.20  |
| 2013                                       | \$18,759.26 | \$ 0.00    | \$ 268.41  | \$2,700.00 | \$21,727.67  |
| 2014                                       | see total   | see total  | see total  | see total  | \$47,213.08  |
| 2015                                       | see total   | see total  | see total  | see total  | \$43,800.00  |
| 2016                                       | see total   | see total  | see total  | see total  | \$34,164.50  |
| 2017                                       | see total   | see total  | see total  | see total  | \$53,916.00  |

2. Additional Services

- a. Legal Work for City Schools - A new area of responsibility for the Law Director is the Lancaster City Schools. Due to budgetary restraints, the School Board has requested legal assistance as authorized by the Ohio Revised Code.
- b. Zoning and Code Enforcement Work for Additional Villages - The Law Director's office is mandated by the ORC to handle zoning and code enforcement prosecution for townships and villages in Fairfield County. This activity has increased in the last three years as more municipalities and townships adopt property maintenance and zoning codes.

## F. GRANTS WRITTEN AND RECEIVED BY THE LAW DIRECTOR

We are pleased to report that our VAWA grant, which funds our Family Violence Unit prosecutor, was granted and awarded in 2017 for \$60,000.00 bringing our total grant funding amount up to Two Million Three Hundred Two Thousand Four Hundred Eighty-Eight Dollars and Nine Cents (\$2,302,488.09).

| PROJECT   | AMOUNT                | FUNDING SOURCE                    |
|---|-----------------------|-----------------------------------|
| Safe Routes to School I                             | \$383,000.00          | SRTS Federal Money                |
| Safe Routes to School II                            | \$345,000.00          | SRTS Federal Money                |
| Safe Routes to School I Enforcement 2013            | \$21,840.00           | SRTS Federal Money                |
| Safe Routes to School II Enforcement 2014           | \$24,000.00           | SRTS Federal Money                |
| Safe Routes to School Signs/Safety Equipment        | \$62,000.00           | SRTS Federal Money                |
| Safe Routes to School I (West Sidewalks)            | \$453,600.00          | SRTS Federal Money                |
| Safe Routes to School II (Sheridan Drive Sidewalks) | \$453,385.00          | SRTS Federal Money                |
| Bike Trail Phase IV                                 | \$373,605.00          | Clean Ohio Fund State Money       |
| Bike Trail Phase IV                                 | \$5,400.00            | Columbus Foundation               |
| Family Violence Prosecution Unit                    | \$116,349.00          | JAG – ARRA Stimulus Funds         |
| Family Violence Prosecution Unit                    | \$29,828.00           | VAWA – ARRA Stimulus Funds        |
| Bike Trail Phase IV 2013                            | \$25,000.00           | PNC Foundation Grant              |
| Bike Trail Phase IV 2013                            | \$66,500.00           | Fairfield Heritage Trail          |
| Bike Trail Phase IV 2013                            | \$19,659.50           | Community Development Block Grant |
| Sensory Trail Connects to Bike Trail 2013/2014      | \$10,000.00           | Community Development Block Grant |
| VAWA 2012 (funding for 2013)                        | \$44,410.15           | Federal pass through              |
| VAWA 2013 (funding for 2014)                        | \$45,953.04           | Federal pass through              |
| VAWA 2014 (funding for 2015)                        | \$49,409.51           | Federal pass through              |
| VAWA 2015 (funding for 2016)                        | \$41,881.51           | Federal pass through              |
| VAWA 2016 (funding for 2017)                        | \$54,667.38           | Federal pass through              |
| VAWA 2017 (funding for 2018)                        | \$60,000.00           | Federal pass through              |
| <b>TOTAL</b>  | <b>\$2,302,488.09</b> |                                   |

## II. Criminal Report

### A. CRIMINAL PROSECUTORIAL RESPONSIBILITIES

Pursuant to Ohio Revised Code 1901.34, the Law Director's office is responsible for the prosecution of misdemeanor criminal cases arising in the City of Lancaster and in the unincorporated areas of the county. In 1997, we began the process of formalizing contracts for reimbursement to the City for prosecution work performed for villages in Fairfield County (i.e. Amanda, Bremen, Lithopolis, Millersport, Carroll, Sugar Grove, Rushville, West Rushville, Pleasantville, and Thurston) and the unincorporated areas of the county by negotiating one contract with the Fairfield County Commissioners. Additionally, the Law Director has negotiated prosecution contracts with the City of Pickerington and the City of Reynoldsburg due to the increased number of criminal cases being filed and prosecuted in the Fairfield County Municipal Court from those jurisdictions. Through this process, we are responsible for the prosecution of all adult misdemeanor crimes that occur in Fairfield County. This process provides uniformity of access and expectations to Fairfield County law enforcement in the investigation and prosecution of adult misdemeanor crimes.



### B. CRIMINAL STATISTICS

The Courts statistics for the Law Director and City Prosecutor's Office for 2017 represent the major use of resources of this office. Approximately 80% of the budgetary funding for the Law Director's Office is directed towards criminal prosecution. Management and prosecution of the high volume of cases takes a team approach to file management and prosecution efforts. Because of the short timeline for prosecution of misdemeanor cases (30-90 days without a time waiver), cases continue regardless of the availability of the prosecutor. Our office assigns attorneys to the dockets as needed to keep cases moving forward in the courts.

| Fairfield County Municipal Court Statistics |             |     |               |             |                 |                   |
|---|-------------|-----|---------------|-------------|-----------------|-------------------|
| Year  | Misdemeanor | OVI | Other Traffic | Jury Trials | Trials to Court | New Court Filings |
| 2009  | 2,660       | 601 | 11,828        | 14          | 2,411           | 19,915            |
| 2010  | 2,246       | 751 | 13,448        | 8           | 2,520           | 21,239            |
| 2011  | 2,809       | 755 | 12,132        | 9           | 2,662           | 20,417            |
| 2012  | 2,246       | 698 | 12,877        | 17          | 5,485           | 21,239            |
| 2013  | 2,954       | 711 | 13,672        | 10          | 3,270           | 21,125            |
| 2014  | 2,629       | 686 | 14,583        | 27          | 3,230           | 21,535            |
| 2015  | 2,743       | 611 | 14,277        | 14          | 2,884           | 21,119            |
| 2016  | 2,956       | 694 | 13,028        | 15          | 2,725           | 19,932            |
| 2017  | 2,917       | 633 | 13,981        | 12          | 2,629           | 21,453            |



## C. SENATE BILL 2/VICTIM RIGHTS LEGISLATION

1. This office has implemented the necessary notification procedures for victims of crime as mandated by the Ohio Revised Code. Victims must be notified as to hearings and case status.
  - A. A Federal grant from the Violence Against Women Act (VAWA) was obtained from 2000-2006 funding 75% of this position. This grant was defunded for 2007 due to its age. In response, the Law Director worked with the Fairfield County Municipal Court to establish the Fairfield County Family Violence Unit court cost to help fund a prosecutor for family violence/stalking cases.

The Family Violence Unit court cost was terminated December 31, 2009 through Ohio Attorney General Opinion OAG 01-2009. This resulted in a loss of monies for prosecution in the amount of over \$100,000.00 per year. The Law Director's Office received ARRA Stimulus grants as a stop gap measure for 2010. In 2011, the Law Director had to lay-off the Family Violence Prosecutor based on budget constraints. For 2012, 2013, 2014, 2015, 2016, and 2017, the Law Director was successful in obtaining a 12-month grant for a Family Violence Prosecutor. This grant was successfully renewed for 2018.

2. Victims served through the Family Violence Fund Statistics

| Statistics<br>Family Violence Unit |                  |                        |                 |                      |                     |                           |
|------------------------------------|------------------|------------------------|-----------------|----------------------|---------------------|---------------------------|
| Year                               | DV Intakes/Cases | Stalking Intakes/Cases | Other SB2 Cases | Total Victims Served | DV Cases Prosecuted | Stalking Cases Prosecuted |
| 2008                               | 233              | 18                     | 523             | 774                  |                     |                           |
| 2009                               | 206              | 8                      | 583             | 797                  |                     |                           |
| 2010                               | 197              | 5                      | 491             | 693                  | 246                 | 5                         |
| 2011                               | 166              | 5                      | 510             | 681                  | *                   | *                         |
| 2012                               | 648              | 3                      |                 | 651                  | 300                 |                           |
| 2013                               | 136              | 5                      | 407             | 548                  | *                   | *                         |
| 2014                               | 165              | 18                     | 430             | 613                  | *                   | *                         |
| 2015                               | 174              | 18                     | 441             | 633                  | *                   | *                         |
| 2016                               | 200              | 16                     | 484             | 700                  | *                   | *                         |
| 2017                               | 483              | 23                     | 407             | 913                  | *                   | *                         |

\*These statistics are no longer broken down by the court.

\*Starting in 2017 our numbers reflect the total number of victims served rather than cases filed.

## D. FAMILY VIOLENCE UNIT

The Law Director developed a proposal adopted by the Fairfield County Municipal Court which funded the Family Violence Unit, utilizing court costs to ensure prosecution of domestic violence and Senate Bill 2 cases pursuant to the Fairfield County Domestic Violence Protocol. This fund generated around \$100,000.00 in savings to taxpayers by ensuring that the users of Municipal Court pay toward the Victims of Crime in Fairfield County, by hiring a prosecutor and victim services coordinator. However, Ohio Attorney General Opinion OAG 01-2009 prevented continuation of this fund after December 31, 2009. We will continue to operate with a 12-month Violence Against Women Act (VAWA) grant for 2017. This is a much needed prosecution position within the office that we cannot afford to lose.



## **E. LAW ENFORCEMENT TRAINING**

The Law Director & City Prosecutor's Office provides free training to law enforcement in the County. In 2017, the office conducted the following law enforcement trainings:

1. Three new Lancaster Police officer trainings on the Domestic Violence Protocol including determination of primary aggressor, protection orders, probable cause to arrest, Ohio preferred arrest policy, and civil immunities at no cost to taxpayers.
2. Four webinar trainings with Lancaster Police Department regarding criminal caselaw updates.
3. Four webinar trainings with Fairfield County Sheriff's Office regarding criminal caselaw updates.
4. We provided our criminal caselaw update trainings to every law enforcement agency in Fairfield County by PowerPoint training module to be utilized at their convenience to avoid the cost of overtime pay for training.
5. Domestic Violence training and instruction at the Lancaster Police Department's Citizens Police Academy.

## **F. ATTORNEY TRAINING**

1. Due to budget constraints and a lack of funding for paid trainings, the Law Director, Assistant Law Director, and Assistant Prosecutors all attend free CLE trainings provided by the Fairfield County Bar Association which helps maintain our CLE requirements prescribed by the Ohio Supreme Court.
2. Additional CLE training consisted of the following:
  - a) Ohio State Highway Patrol trainings regarding OVI, drugged drivers, and general traffic enforcement;
  - b) New lawyer training;
  - c) Ohio Ethics Commission trainings;
  - d) National Institute of Behavioral Health trauma informed care training;
  - e) Georgetown University trauma informed care training;
  - f) Labor and Employment law training;
  - g) Construction law training.

## **G. TOWNSHIP ZONING VIOLATIONS**

An area this office has seen greatly expanded is the filing of criminal violations of township zoning codes. As the townships grow, zoning enforcement has become an increasingly necessary concern. Since the office prosecutes all misdemeanor violations in the unincorporated areas of Fairfield County, this includes township zoning issues. The County Prosecutor's Office handles all other legal needs of the townships.

## **H. BUDGET CRISIS**

The greatest challenge to the Law Director and City Prosecutor's Office in 2017 was meeting the increased demands of criminal and civil caseloads. We received a Violence Against Women Act (VAWA) grant to fund the Family Violence Prosecutor for 12 months. While grant opportunities are needed and helpful, our absolute reliance on them to maintain attorney staffing levels does not create stability for our prosecution efforts that continue to escalate due to the opiate crisis affecting our county and the tremendous work of Fairfield County law enforcement in keeping our

community safe.

With the continual increase of prosecution cases in our office, the increased demand for reception duties due to our 2016 relocation to the new Fairfield County Municipal Court building, and the additional demands placed on office staff, City Council made a full-time contract temp agency position into a full-time permanent city position for 2017. We appreciate the recognition and understanding of City Council that our litigated caseload has increased by at least 300 cases in the last five years, straining the administrative staff structure of the office.

This full-time city position was crucial in stabilizing the mission of our office. With the creation of a magistrate's docket by the Fairfield County Municipal Court in 2017, we increased and expanded the duties and responsibilities of this full-time position to be the paralegal for the third court docket.

### **III. How Did We Do Meeting Our 2017 Goals?**

**A. MAINTAIN FAMILY VIOLENCE UNIT**

We received a VAWA grant to continue funding the Family Violence Prosecutor.

**B. COMPLETE THE ANNEXATION OF RIGHT-OF-WAY PROCESS**

Due to workload, we were unable to commence this project.

**C. UPDATE FIRE IMPACT FEE**

Due to workload, we were unable to commence this project.

**D. UPDATE CONTRACTOR REGISTRATION**

Due to workload, we were unable to commence this project.

**E. EXPAND TRAINING TO LAW ENFORCEMENT AGENCIES**

We were successful in providing four webinar trainings to Fairfield County law enforcement and Assistant Law Director, Stephanie Hall, trained three new Lancaster Police officers on the Fairfield County Domestic Violence Protocol. Ms. Hall also taught the topic of Domestic Violence to the Lancaster Police Department's Citizen Police Academy.

**F. WORK WITH HARCUM HOUSE TO CREATE A SEXUAL ASSAULT RESPONSE TEAM (SART)**

Harcum House is currently implementing SART. We also partnered with Harcum House in 2017 to establish a trauma informed care team through the National Institute of Behavioral Health.

**G. ESTABLISH A SET OF BY-LAWS FOR THE LANCASTER CIVIL SERVICE COMMISSION**

Due to workload, we were unable to commence this project.

**H. UPDATE TECHNICAL CODES**

We accomplished this goal in 2017 with ordinance updates of all our technical codes to current versions.

**I. WORK WITH LAW COMMITTEE AND CITY COUNCIL TO IDENTIFY AND UPDATE LANCASTER CODIFIED ORDINANCES THAT ARE OUTDATED**

We began this process in 2017 with the assistance of Law Committee and City Council.

## **IV. Goals for 2018**

- A. MAINTAIN FAMILY VIOLENCE UNIT**
- B. NEGOTIATE COUNTY PROSECUTION CONTRACTS**
- C. COMPLETE THE ANNEXATION OF RIGHT-OF-WAY PROCESS**
- D. UPDATE FIRE IMPACT FEE**
- E. UPDATE CONTRACTOR REGISTRATION**
- F. PROVIDE MEANINGFUL AND RELEVANT TRAINING TO LAW ENFORCEMENT AGENCIES**
- G. ESTABLISH A SET OF BY-LAWS FOR THE LANCASTER CIVIL SERVICE COMMISSION**
- H. CONTINUE TO WORK WITH LAW COMMITTEE AND CITY COUNCIL TO IDENTIFY AND UPDATE LANCASTER CODIFIED ORDINANCES THAT ARE OUTDATED**