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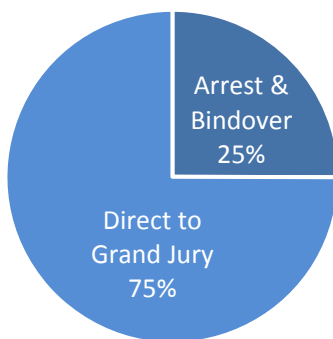
## 2018 Felony Statistics for Tuscarawas County, Ohio

Among the legal responsibilities of the County Prosecutor's Office are the prosecution of all felony cases and juvenile cases, the prosecution of some misdemeanor cases, and providing legal counsel to all county and township boards and elected officials. Of those responsibilities, felony prosecution consumes approximately 70% of the office's time and resources.

### Felony Charging Statistics

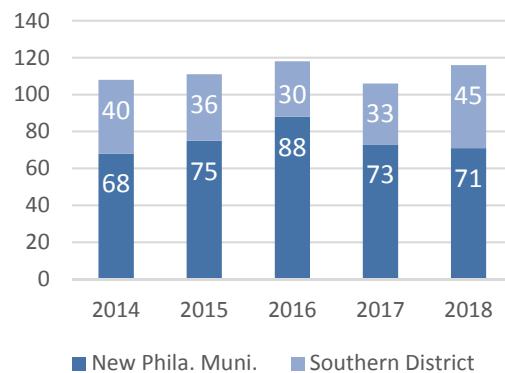
New Felony Cases in 2018:

**463**



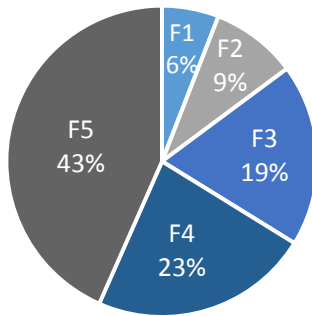
Felony Arrest Warrants in 2018:

**116**

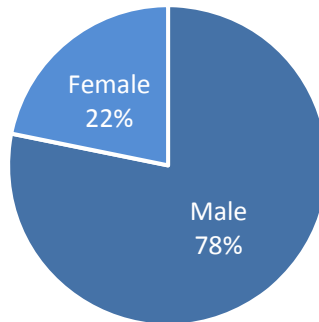


Year	2014	2015	2016	2017	2018
Indictments	315	291	318	302	452
Bills of Information	15	0	9	8	11
<b>Total New Felony Cases</b>	<b>330</b>	<b>291</b>	<b>327</b>	<b>310</b>	<b>463</b>

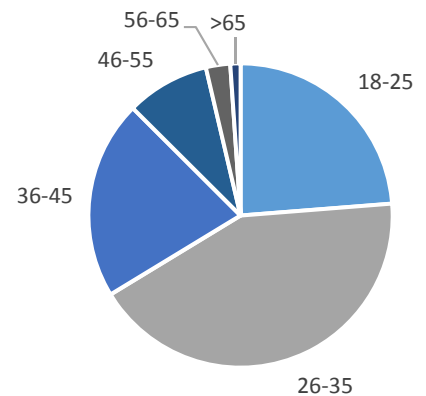
by Highest Charge Level



by Gender

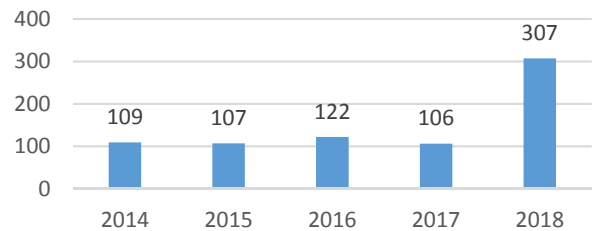


by Age



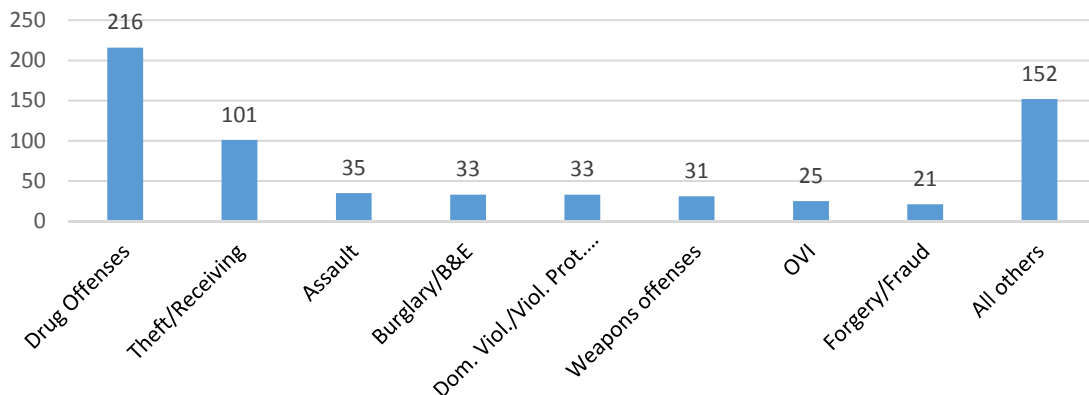
Remarkably, there has been a 49% increase from 2017 in new felony cases. This is due in large part to the increase in drug possession cases, as demonstrated by the chart to the right. The number of *counts* of drug possession has increased 290% from 2017 (Note that indictments can have multiple counts). While this increase may partly be related to the reduction of the backlog at the state crime lab, much of it is related to the increased detection of drugs by law enforcement and the proliferation of drug use. In 2018, Tuscarawas County experienced a sharp uptick of crystal methamphetamine cases compared to previous years.

Counts of Drug Possession in Indictments, 2014-2018

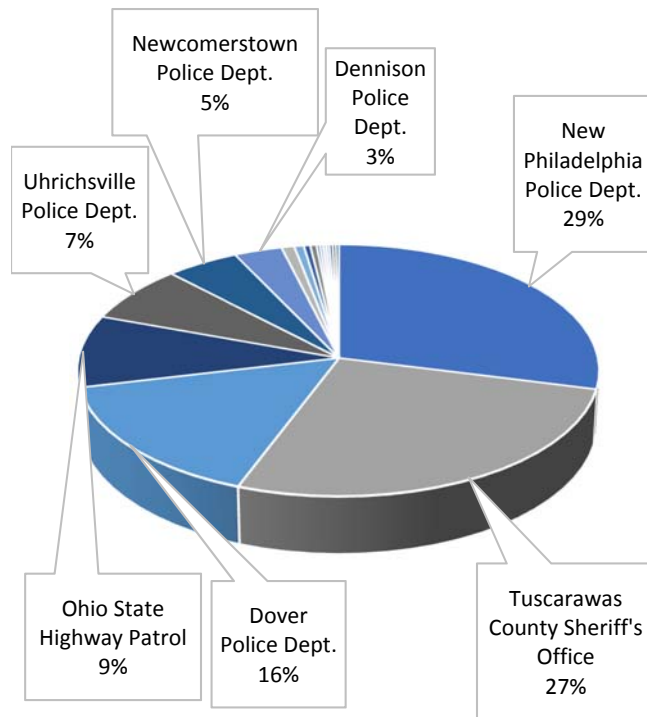


Top 8 Categories of Felonies

Incidents in 2018 based on UCR Crime categories by counts



## by Agency



New Philadelphia Police Dept.	134
Tuscarawas County Sheriff's Office	124
Dover Police Dept.	72
Ohio State Highway Patrol	43
Uhrichsville Police Dept.	34
Newcomerstown Police Dept.	23
Dennison Police Dept.	15
Strasburg Police Dept.	4
Sugarcreek Police Dept.	3
Gnadenhutten Police Dept.	2
Midvale Police Dept.	2
Bolivar Police Dept.	1
Ohio Dept. of Job & Family Services	1
Ohio Dept. of Natural Resources	1
Ohio Dept. of Public Safety	1
Port Washington Police Dept.	1
Tusc. Co. Child Support Enforcement Agy.	1
Tuscarawas County Job & Family Services	1
<b>TOTAL</b>	<b>463</b>

## Understanding Felony Charging Data

The Ohio Constitution requires that all felony cases be heard by a grand jury. There are two ways a case can proceed to the grand jury. First, a person can be arrested. In such a case, a preliminary hearing must be held (generally within 10 days) in the New Philadelphia Municipal Court or the Tuscarawas County (Southern District) Court. At the hearing, if the judge finds that probable cause exists for the charges, the case is *bound over* to the grand jury for consideration, and the jurisdiction is transferred to the Court of Common Pleas. These are known as bindover cases.

The second way that a case may proceed to the grand jury is that a law enforcement agency submits the case for grand jury consideration without arresting the suspect. These cases are known as direct referrals.

The Court of Common Pleas has ultimate jurisdiction for all felony cases. The court empanels a grand jury three times per year. Each grand jury serves a four-month term and generally convenes one day per week to hear evidence of felony cases. While the court supervises the grand jury, the county prosecutor presides over the sessions in accordance with Ohio law and the judge's instructions. If the grand jury finds probable cause for a felony case, the charges are formalized into an *indictment*. Most new felony cases are indicted through the grand jury process. However, in some cases, an accused person has worked out an early

resolution with the prosecutor, agrees to be charged with a felony, and waives his right to grand jury consideration. These cases are formalized in a *bill of information* and generally proceed directly to a guilty plea and sentencing.

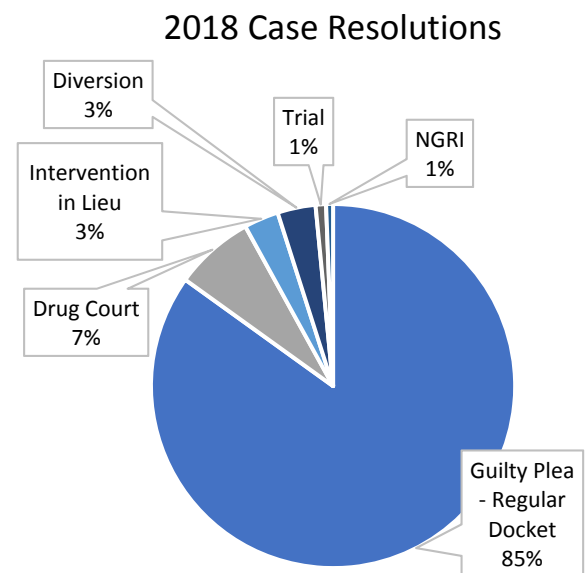
Other felony cases prosecuted include extraditions and post-decree motions. Extraditions are cases involving an arrest on an out-of-state felony warrant, and the hearing concerns whether the warrant is valid and the defendant is the right person. In 2018, we had 14 extraditions. Post-sentence motions involve re-opening closed felony cases, and the vast majority are motions to revoke probation. Post-sentence motion data was unavailable for 2018.

The Ohio General Assembly, through the Revised Code, defines crimes and classifies them as misdemeanors (punishable by, at most, county jail) or felonies (punishable by, at most, prison). There are five different degrees of felonies, ranging from fifth degree (F5), the least serious, to first degree (F1). There are also unclassified felonies, which are generally the most serious (such as murder and child rape) and usually entail some variety of a life prison sentence. In the above chart, unclassified felonies are included under the F1 classification.

## Felony Disposition Statistics

Changed Plea & Found Guilty	320
Regular Docket	276
Drug Court	23
Intervention in Lieu	10
Diversion	11
Trial - Guilty	3
Trial - Not Guilty	0
Not Guilty by Reason of Insanity	2
<hr/> Total Case Resolutions	<hr/> 325
Dismissals	10
<hr/> Total Dispositions	<hr/> 335

Pretrial Resolution Rate **98%**



## Understanding Felony Disposition Data

Most cases end in traditional sentencing. Some cases proceed to special dockets, which include Drug Court, Intervention in Lieu (of Conviction), and Diversion. These special docket resolutions include a finding of guilty; however, instead of being immediately sentenced, a qualifying defendant is given the opportunity to comply with a particular program. If they fail to comply, they may be revoked and sentenced. If they successfully complete the program, their case is dismissed and, by law, sealed. Drug Court, known as COBRA Court, is a rigorous drug treatment and accountability program administered by Judge Thomakos. Intervention in

Lieu is a program created by state law for lower level felons seeking drug treatment through an agency other than COBRA Court. Diversion is a program operated by the court's probation department for low-risk, non-violent offenders with minimal or no criminal records.

While all cases involve various hearings before trial, relatively few proceed to trial. Factors that affect this phenomenon include charging decisions of the prosecutor, open discovery (exchange of evidence between parties), and the assessment of the evidence and risks by both parties.

Dismissals can occur for a variety of reasons, including a grand jury declining to indict a bindover case (known as a *No Bill*), successful completion of a special docket program (i.e., drug court, intervention in lieu, or diversion), suppression of police evidence by the judge, death of a defendant, determination by the prosecutor that a case is sufficiently compromised due to unavailable witnesses or newly discovered evidence, or re-indictment. To avoid duplicating statistics, dismissals for successful completion of special docket program are excluded in the above chart.