

November 26, 2018

Judge Timothy R. VanSickle
Wayne County Municipal Court
215 N. Grant St.
Wooster, OH 44691

Chairman Manning, Ranking Member Celebrezze, and members of the House Criminal Justice Committee, thank you for providing me with the opportunity to present sponsor testimony on House Bill 607. This legislation will eliminate the requirement that one of the judges of the Wayne County Municipal Court sit within the municipal corporation of Orrville.

I support having the ability to stop using the Orrville branch of the Court for a variety of reasons.

First, the current facilities in Orrville are not currently configured to permit effective screening for those participating or otherwise present for court purposes. The area being used for court proceedings is used by multiple agencies. The Wayne County Title Clerk has an office that shares the space that the court uses. To properly screen people entering the Court facilities we have to also screen those who are arriving to conduct business at the title office. Also, the area the court uses contains a set of restrooms which are (to my knowledge) the only public restrooms on the second level of the Orrville Municipal Building. These restrooms are frequently used by Orrville City employees and others on the second floor of the building. To properly screen those entering the Court facilities we would have to screen individuals who simply desire to use the restroom on the second floor who have no business with the court. As there are other Orrville City departments located on the second floor, this is an ongoing problem. To address this problem we have moved the screening station to the area right outside of the courtroom door, but this approach then leaves the Clerk of Courts as an unscreened area and moves the buffer zone to deal with a critical threat to an area immediately outside of the courtroom.

Second, the current facility lacks appropriate holding cells. Due to the fact the county jail is about 15 miles from the Orrville facility, anytime a Defendant is sentenced and must be taken into custody a problem arises because there are not facilities to hold the Defendant. The Court bailiff is usually tied up with other continuing cases and cannot simply take the Defendant into custody to wait for a transport from the local police department or the Sheriff. Previously, there was a holding cell adjacent to the courtroom that was used in this scenario. However, it was a former closet, which includes a set of elevator doors and is not monitored by cameras. Our concern is that if the person in custody were to suffer a medical condition we would not be alerted immediately to the problem. Further, the lack of monitoring prohibits the court security

staff from discovering other security related problems that occur in the holding cell (i.e. a prisoner removing handcuffs, tampering, etc.). In the recent past, we have used the holding cells which are located in the lower level of the Orrville Municipal building belonging to the Orrville Police Department. However, those cells are no longer used by the police department and are not available to hold those in custody.

The above referenced issues have resulted in the Court shifting more and more cases to the Wooster branch of the court for sentencing, which has resulted in much less use of the Orrville branch.

I have considered the impact this could have on other users of the court system. I realize that the Orrville branch is more convenient for officers, witnesses, attorneys and others who work or reside near Orrville. However, with the recent availability of e-filing, which is available 24/7, I believe this inconvenience is minimized. The only time officers and witnesses are appearing in the Orrville facility currently would be for bench trials, which have already been greatly curtailed and many times moved to Wooster due to the security issues detailed above. Attorneys who currently appear for pretrial conferences who work in Orrville or the surrounding areas would be welcome to conduct pretrial conferences via telephone if such is desired, thereby further minimizing the inconvenience of closing the Orrville branch.

Finally, our court struggles to properly staff both the Orrville and Wooster locations. Our security person (for screening purposes) and one bailiff must be present at almost all times when the Orrville branch is being used. We do not have the luxury of simply adding employees to accomplish this task, which means that we have to pull employees from our Wooster branch to cover the Orrville proceedings, which frequently results in having a probation officer in Wooster fill in for bailiff duties or security duties.

The necessary solutions to correct the problems at the Orrville branch cannot be easily, quickly, or economically remedied. In our current environment the safety issues are even more pressing. Should you have any questions, or require additional information or clarification, please do not hesitate to contact me. Thank you.

Sincerely,

Judge Timothy R. VanSickle