

2003 ANNUAL REPORT PEND OREILLE COUNTY DISTRICT COURT

JUDGE PHILIP J. VAN DE VEER



Seated from left: Scott Cornwell (probation director); Claudia Krogh (District Court clerk); Maudelle Carlson (assistant clerk); T.J. Keogh (probation, criminal clerk); standing: Tammy Scribner (civil clerk); Judge Philip Van de Veer; Polina Robinson (assistant clerk).

The 2003 caseload of the Pend Oreille County District Court is highlighted below:

| CRIMINAL FILINGS | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| DUI & PHYSICAL CONTROL | 165 | 122 | 129 | 147 | 161 | 160 | 111 | 91 | 91 |
| OTHER TRAFFIC | 442 | 433 | 272 | 234 | 372 | 180 | 238 | 203 | 203 |
| OTHER MISDEMEANORS | 543 | 523 | 473 | 432 | 476 | 414 | 380 | 354 | 341 |
| FELONY COMPLAINTS | 1 | 9 | 6 | 15 | 15 | 6 | 6 | 2 | 5 |
| FELONY IN-CUSTODY HEARINGS | | | | | 82 | 52 | 69 | 71 | 63 |
| TOTAL CRIMINAL FILINGS | 1151 | 1078 | 880 | 828 | 1106 | 812 | 804 | 721 | 679 |
| CIVIL | 179 | 192 | 178 | 135 | 164 | 193 | 196 | 187 | 189 |
| SMALL CLAIMS | 76 | 95 | 49 | 49 | 59 | 81 | 49 | 62 | 56 |
| TRAFFIC INFRACTIONS | 2140 | 1830 | 1658 | 1550 | 2107 | 1569 | 2034 | 1615 | 1472 |
| NON-TRAFFIC INFRACTIONS | 8 | 5 | 7 | 9 | 35 | 183 | 93 | 65 | 125 |
| PARKING INFRACTIONS | 104 | 315 | 14 | 8 | 14 | 8 | 2 | 4 | 2 |
| TOTAL CIVIL/CRIMINAL | 3658 | 3524 | 2786 | 2579 | 3485 | 2846 | 3178 | 2554 | 2523 |

Other Traffic Offenses include negligent/reckless driving, hit & run, driving suspended. Other Misdemeanors include assault (domestic violence), resisting arrest, obstruction, disorderly conduct, trespass, malicious mischief, theft, possession marijuana/paraphernalia, violation of a no-contact order, animal cruelty, fish and game violations.

In addition to handling civil and criminal cases, the District Court judge also hears the majority of search warrant requests, including felony warrants. Criminal case filings have dropped over the last five years from 1106 filings in 1999 to 679 filings in 2003. There are several reasons. First, driving suspended charges constitute a large percentage of district court

filings. Driving suspended filings remain low as a result of the license restoration program which started in 1999. Second, active pretrial release and probation monitoring has improved compliance by criminal defendants and resulted in fewer subsequent offenses. Finally, city and county law enforcement has operated with reduced staff over the last two years resulting in fewer arrests.

PROBATION

Scott Cornwell took over as Probation Director in 2003. Mr. Cornwell is a graduate of Eastern Washington University with a degree in criminal justice. Mr. Cornwell served in the U.S. Army infantry from 1991-1995 including a tour with the multinational force of observers in the Sinai between Israel and Egypt.

During 2003, the Court conducted 188 mandatory compliance review hearings to monitor initial compliance by probationers ordered to undertake drug, alcohol or perpetrator treatment as a result of a criminal conviction or deferred prosecution. The goal of compliance review is to compel prompt treatment thus avoiding subsequent criminal offenses and probation violations.

One hundred and five probationers complied with evaluation and treatment requirements during 2002 and continue on probation. Twenty-seven defendants made progress in treatment, but the Court set a further compliance review to monitor and verify full compliance. Thirty-one defendants failed to demonstrate compliance and were taken into custody for violation of conditions of probation. A warrant issued after twenty-five defendants failed to appear. Overall, the District Court probation department supervised 471 individuals.

| | 2001 | 2002 | 2003 |
|--|-------------|-------------|-------------|
| Individuals On District Court Probation | | 440 | 471 |
| Mandatory Compliance Review Hearings | 146 | 173 | 188 |
| Probationers In Compliance | 96 | 109 | 105 |
| Reset Hearing to Monitor Further Improvement | 35 | 25 | 27 |
| Probationer Not In Compliance | 9 | 20 | 31 |
| Warrant Issued | 6 | 19 | 25 |

ALCOHOL & DRUG TESTING

Thirty-five criminal defendants with significant prior alcohol related convictions or problems were required to test for alcohol several times per day as a condition of release pending trial to compel compliance with a no drugs or alcohol requirement. Defendants are given a choice of installing a telephonic in-home photo-bat machine or personally reporting several times per day to probation or the jail for alcohol/drug testing. A positive test results in immediate revocation of conditions of release.

Twenty-three defendants successfully remained alcohol/drug free during the monitoring process. This is impressive considering that many presented a significant history of alcohol-related convictions and problems. Twelve defendants tested positive for alcohol or drugs and were taken into custody until trial.

The continued result of the daily testing programs is enhanced public safety and reduced costs of incarceration. For the year 2002, the program resulted in savings in the cost of incarceration of \$27,540 for the City of Newport and \$104,805 for Pend Oreille County (figuring \$45 per day incarceration costs avoided).