COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS
YELLOW SPRINGS, OHIO
RESOLUTION 2018-38

ADOPTING A POLICY FOR CHARGING MISDEMEANOR CASES INTO MAYORôS COURT

Whereas, it is the policy of Council to process as many misdemeanor cases as possible in the Yellow Springs Mayorôs Court, which has been established under the Village Charter and supported financially by the taxpayers of this community specifically for this purpose; and

Whereas, the Justice System Task Force recommends that action be taken to change the current pattern of police charging Mayorôs court-eligible cases to the Xenia Municipal Court; and

Whereas, Council favors implementing criminal justice locally and consistent with the Guidelines for Village Policing and, whereas, Council believes that we can best achieve this if justice is administered locally to the greatest extent possible.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. The Village Manager is directed to work with the Chief of Police to ensure that all misdemeanor violations occurring in the Village are charged into Mayorôs Court using YS Ordinances. When possible, nonviolent offenders will be cited into Mayorôs court.

Section 2. Exceptions to the policy include but are not limited to:

i) Compact law suspensions;
ii) OVIôs (Operating a Vehicle Under the Influence);
iii) Misdemeanor and traffic citations where offender is not a resident of Greene County (officer discretion due to possible need for a warrant for failure to appear);
iv) Domestic Violence; Violations of Protection orders; Misdemeanors if the victim is a family or household member as defined in the Ohio Revised Code Section 2919.25;
v) Cases in which a person will be incarcerated.

Section 3. The Chief of Police will present a report to Council, on a monthly basis, the number and types of cases (by name and code section) that are being charged into Yellow Springs Mayorôs Court and how many to other jurisdictions, and why that decision was made.

Section 4. This policy will be fully implemented by November 1, 2018.

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Signed: Brian Housh, President of Council

Passed: 10-1-2018

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Attest: Judy Kintner, Clerk of Council

Roll Call: Housh _Y__ MacQueen _Y_ Hempfling _ABSENT__

Stokes __Y__ Kreeger_Y__