

# 2004 ANNUAL REPORT PEND OREILLE COUNTY DISTRICT COURT

JUDGE PHILIP J. VAN DE VEER



Seated from left: Claudia Krogh (District Court Clerk); Judge Philip Van de Veer; Margie Porter (Civil Clerk); standing, T.J. Keogh (Criminal Clerk); Hannah Jacobsen (Assistant Clerk); Scott Cornwell (Probation Director); Mia Harper (Assistant Clerk); Maria Manzano (Assistant Clerk).

The 2004 caseload of the Pend Oreille County District Court is highlighted below:

| <b>CRIMINAL FILINGS</b>       | <b>1995</b> | <b>1996</b> | <b>1997</b> | <b>1998</b> | <b>1999</b> | <b>2000</b> | <b>2001</b> | <b>2002</b> | <b>2003</b> | <b>2004</b> |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| DUI & PHYSICAL CONTROL        | 165         | 122         | 129         | 147         | 161         | 160         | 111         | 91          | <b>91</b>   | <b>87</b>   |
| OTHER TRAFFIC                 | 442         | 433         | 272         | 234         | 372         | 180         | 238         | 203         | <b>203</b>  | <b>146</b>  |
| OTHER MISDEMEANORS            | 543         | 523         | 473         | 432         | 476         | 414         | 380         | 354         | <b>341</b>  | <b>325</b>  |
| FELONY COMPLAINTS             | 1           | 9           | 6           | 15          | 15          | 6           | 6           | 2           | <b>5</b>    | <b>8</b>    |
| FELONY IN-CUSTODY HEARINGS    |             |             |             |             | 82          | 52          | 69          | 71          | <b>63</b>   | <b>68</b>   |
| <b>TOTAL CRIMINAL FILINGS</b> | <b>1151</b> | <b>1078</b> | <b>880</b>  | <b>828</b>  | <b>1106</b> | <b>812</b>  | <b>804</b>  | <b>721</b>  | <b>679</b>  | <b>634</b>  |
| CIVIL                         | 179         | 192         | 178         | 135         | 164         | 193         | 196         | 187         | <b>189</b>  | <b>169</b>  |
| SMALL CLAIMS                  | 76          | 95          | 49          | 49          | 59          | 81          | 49          | 62          | <b>56</b>   | <b>34</b>   |
| TRAFFIC INFRACTIONS           | 2140        | 1830        | 1658        | 1550        | 2107        | 1569        | 2034        | 1615        | <b>1472</b> | <b>1756</b> |
| NON-TRAFFIC INFRACTIONS       | 8           | 5           | 7           | 9           | 35          | 183         | 93          | 65          | <b>125</b>  | <b>160</b>  |
| PARKING INFRACTIONS           | 104         | 315         | 14          | 8           | 14          | 8           | 2           | 4           | <b>2</b>    | <b>7</b>    |
| <b>TOTAL CIVIL/CRIMINAL</b>   | <b>3658</b> | <b>3524</b> | <b>2786</b> | <b>2579</b> | <b>3485</b> | <b>2846</b> | <b>3178</b> | <b>2554</b> | <b>2523</b> | <b>2126</b> |

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.

## PROBATION

During 2004, the Court conducted 116 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.

Fifty-six probationers complied with evaluation and treatment requirements during 2004 and continue on probation. Twenty-two defendants made progress in treatment, but the Court set a further compliance review to monitor and verify full compliance. Twenty-four defendants failed to demonstrate compliance and were taken into custody for violation of conditions of probation. A warrant issued after fourteen defendants failed to appear. Overall, the District Court probation department supervised 432 individuals.

|  | 2001 | 2002 | 2003 | 2004 |
|--|------|------|------|------|
| Individuals On District Court Probation      |      | 440  | 471  | 432  |
| Mandatory Compliance Review Hearings         | 146  | 173  | 188  | 116  |
| Probationers In Compliance                   | 96   | 109  | 105  | 56   |
| Reset Hearing to Monitor Further Improvement | 35   | 25   | 27   | 22   |
| Probationer Not In Compliance                | 9    | 20   | 31   | 24   |
| Warrant Issued                               | 6    | 19   | 25   | 14   |

### ALCOHOL & DRUG TESTING

Forty-eight 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.

Nineteen 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. Ten 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 2004, the program resulted in savings in the cost of incarceration of \$40,455 for the City of Newport and \$103,905 for Pend Oreille County (figuring \$45 per day incarceration costs avoided).

### OTHER EVENTS

Mia Harper joined the District Court in 2004. Mrs. Harper is from Uzbekistan and speaks fluent Russian. In addition to her duties as a court clerk, she provides services as a Russian/English interpreter. Hannah Jacobsen has also joined the court as an assistant clerk. Ms. Jacobsen, born and raised in Pend Oreille County, graduated from Gonzaga University and is a former Americorp volunteer.

Recently, Joseph Hancock took over as District Court Probation Director. He brings to the position considerable experience as a Washington State community corrections officer.

The District Court was audited by the State of Washington in 2004 with no significant problems found.