

**2020  
ANNUAL REPORT**

**VILLAGE OF  
CAYUGA HEIGHTS COURT**



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## ANNUAL REPORT OF GLENN G. GALBREATH, VILLAGE JUSTICE

The Covid 19 pandemic was probably the single issue that had the most impact on the court in 2020. Early in the year all New York courts were completely closed for weeks. Thereafter our court has operated under a very restricted basis for various periods of time, e.g.: only one person (i.e. Court Clerk or I) could be in the court or office at a time; or defendants could only appear in court by electronic means; or defendants could appear in-person but only on a one-case-at-a-time basis; trials were not allowed or were limited to virtual appearances; and jury trials were forbidden the entire year. And, of course, we had to take numerous precautions to limit the chance of virus spread (e.g. temperature checks, virus inquiries of everyone, everyone had to wear masks, one defendant in the court room at a time, constant cleaning, plexiglass shields, etc.). Most of these restrictions continue into 2021. As a result of adapting to the pandemic:

- the number of cases we were able to close dropped by almost a third;
- the court appearance rate for defendants, either in-person or electronically, dropped markedly;
- the court's incentives to motivate defendants to appear at Court were limited due to bail reform and limits on issuing warrants and license suspensions;
- trials were prohibited or made practically very difficult and jury trials were banned; and
- the collection of fines and surcharges dropped to less than half of 2019.

Following the summary of data immediately below is a narrative about the data and other court activities for the year. The charts at the end provide a little more detail and cover six years.

### SUMMARY OF CASE ACTIVITY

<u>Case Types</u>	<u>2019</u>	<u>2020</u>
Vehicle + Traffic Law (V+TL) (including parking)	1,077	655
Penal/Criminal Law	11	7
Civil/Small Claims/Evictions	<u>1</u>	<u>2</u>
Total Closed Cases	1,089	664
<u>Total Funds Collected</u>	\$ 69,626	\$ 26,050
<u>Number of V+TL Trials</u>	8	1
<u>After-hours arraignments for other courts due to Covid restrictions</u>	0	10

### **Case Numbers have declined significantly**

Our data reflects only those cases that have closed, but my sense is that the number of new cases was probably lower in 2020 as well, and we still have a lot of cases that are lingering. The pandemic has possibly made law enforcement a bit more selective about what cases are worth the risk of exposure to everyone involved, and we very well may have had less traffic on the roads because people have been more careful about going out. Even if the in-coming cases numbers have not changed from the past, getting cases through the process when so many defendants are not appearing has resulted in our being able to close only about two-thirds the number of cases we closed in 2019. We believe that it will take a long time to work our way through the backlog on the growing stack of stalled cases.

### **Court Access**

Because physical access to the courtroom has and will continue to be limited, we have opened virtual access through Microsoft Teams. For many people this has been very helpful and can actually make it easier for some defendants. If they have a traffic ticket, they can go to the Court's website and read material (which has been significantly expanded and can even assist them in the plea bargaining process if they choose). They may also appear electronically through the website's link to the actual court session. Further, if they choose to plead not-guilty we can, and have, been able to do their trial via Microsoft Teams. All this can be done without the defendant, police officer, or attorney's leaving their home or office. Also, the court session is open to the public through this link. Starting in 2021 in-person bench trials have begun again as well.

### **Vehicle and Traffic Law (V+TL) Cases** (See attached chart.)

Vehicle and traffic law matters are the majority of the court's cases, fines and surcharges collected and the court clerk's time. The total number of V+TL cases in 2020 (655) dropped by a third from the 1077 we closed in 2019. The decrease was generally proportionate among the different types of vehicle and traffic offenses except with the charges of failing to obey a traffic control device (usually a speed limit sign) and unlicensed operation. Because both of these charges are often the result of plea bargains, the pandemic's effect may be negatively effecting pleas to these charges.

Alcohol related driving offenses [driving with ability impaired (DWAI), driving while intoxicated (DWI), and aggravated driving while intoxicated (ADWI)] are important cases and their numbers have been very low the last couple years (from 20 in 2015 to 3 in 2018, 2 in 2019 and only 1 in 2020). Maybe it is a good sign that drivers are being more careful about not driving after drinking?

### **Parking** (See attached chart.)

The number of parking tickets in 2020 (37) is up from 2019 (26). Although parking tickets are part of the V+TL statistics, we identify them separately in the attached chart. The administrative processing frequently is done by the Police Department and the Court Clerk without the need of my intervention because most people plead guilty and pay the set fine. Only occasionally do I need to arraign a defendant or hold a trial for a parking ticket. Nevertheless, the Court Clerk must always process the paperwork and occasionally arrange for payment of the fine.