



**Governing Board Meeting January 10, 2013 2:00 PM**

**AGENDA**

Call To Order: Executive Edward FitzGerald

Approval of the Minutes:

Public Comment:

New Business:

Adopt Metrics

Other Business:

Adjournment:

Next Meeting: February 14. 2013-2:00 PM, Sheriff's Training Room



# CRIMINAL JUSTICE SERVICES GOVERNING BOARD

November 8, 2012

## MINUTES

### Member Attendees:

County Executive  
Prosecutor's Office  
Public Defender's Office  
City of Cleveland-Law Dept.  
N. OH Municipal Ct. Judges Assn.  
Court of Common Pleas  
Cleve. Municipal Court  
County Council President  
Cuyahoga County Sheriff  
Juvenile Court

Ed FitzGerald, Chair  
Tim McGinty  
Bob Tobik  
Victor Perez-rep. Barbara Langhenry  
Judge Patrick Carroll  
Presiding & Adm. Judge Nancy Fuerst  
Presiding & Adm. Judge Ron Adrine  
C. Ellen Connally  
Bob Reid  
Thomas O'Malley

### Call to Order

County Executive E. FitzGerald called the meeting to order at 2:11 p.m. E. FitzGerald made a motion to approve the meeting minutes from August 9, 2012. R. Adrine seconded the motion. A voice vote was taken, the motion carried and the minutes were approved by all.

### Public Comment

E. FitzGerald asked if there was anyone requesting to make public comment. Hearing none, he requested T. McGinty to provide an update on Agency Council.

### Reports:

#### Agency Council

T. McGinty's objective is to have a system that is data driven with goal setting performance measures, a criminal justice system accountable that is more efficient & effective, fair & improve safety, stop unnecessary crime, recognize habitual, dangerous criminals. Need to look to the JMI Recommendation  
Front Loading the system, 2. Early Analysis of cases. 3. Cont. working 24/7 with all police depts, city prosecutors, detectives to early analyze cases . Rate cases 1-100 according to threat to community.  
Aiming to have first court appearance within 48 hrs. reduced to 36, 24 with discovery & attorney with a plea to handle probable cause. Must have attorney/Pub. Defender Defense Bar for this to work.  
Have EDC (Early Disposition Court) & ECM (Early Case Management) would be an agreed probation to felonies 4 & 5.

1. Goal- ID habitual offenders (ex. Anthony Sowell)
2. Speed up low-level cases; misdemeanor/boarder-line misdemeanor cases in Muni Court if they have an attorney. If Muni Court wants to keep cases let them, (if they have a program for them it would be better).
3. Reduce time in County Jail.
4. Quickly recognize the innocent, over-charged, mentally ill.
5. Accelerate process.
6. More efficient cost wise.
7. Increase level of justice.

Other reforms: Death penalty reduction, review committee, Public Corruption Unit, pre-mark cases as they come in-evaluate.

County Executive's view of his role with the various depts. and players we directly manage and control.

E. FitzGerald's comments:

1. What is the mission?
2. How efficient are we now?
3. What are the objective criteria to measure the dept. by?
4. Examples of Best Practices across the state/country to do a comparison.
5. The county wasn't operating that way in the past-some outcome but not the best outcome. Internal resistance from some directors but this works.  
Moving forward, how to funnel this outcome through other entities that the county doesn't have direct control over?

### Sub-committee Report

Statistical analysis/staff:

Bob Tobik, Lisa Williamson-Prisoner Board and Care; JSR Goals/Performances measurements are still out there with 37 separate performance measures.

1. Small working group-meeting every 2 mos.
2. Each were keeping stats in their own way, by different names and based on their needs. Began collecting some stats to provide the Governing Board.  
They're asking today for some guidance on how the Govn. Board wants stats kept?  
Can only accomplish real goal setting until we reach an agreement on measurement.

### Judge Nancy Fuerst Statistical Report #8 Justice System Reform (on website)

Example shows cases and length of time from open to close.

Judge McGinty is agreeable to allowing a neutral group (ex. CountyStat) that stats are submitted to and any agency can argue for adjustment if needed. Improvements in Pre-Assessment arrests, length of case, when court receives case-hardly any, probation-hardly any. Barrier to improving satisfaction of performance measurements:

1. Lack of resources.
2. Personnel
3. Lack of cooperation.
4. Perceived privileged information

Ms. Williamson believes it's a little bit of all of the above.

Robert Tobik stated that recommendations not implemented or sub-committee not given the authority to go ahead.

Judge Fuerst doesn't agree the performance measures provided is sufficient. She suggests that all sit down and talk about integrating within the system-CGIS.

1. E-Filing (Electronic Link) on the criminal & civil side to be able to grab whatever information you need.

### Jeff Mowry

Looking at new system-Business Intelligent System that would assist our current data base to extract into a common reporting format. May already have something with our existing system.

Time Frame:

1. High Level Metrics Agreement
2. 2 weeks to 30 days

Ms. Williams suggested that we look at the process closer as opposed to the results because there's a gap in time between meetings.

Judge Fuerst stated that we need to look at how to handle prisoner board and care/jail population reports are hard to read/understand. Dealing with change in laws which keep more people local-awaiting CBCF, mental health care, drug or residential treatment, local incarcerations programs-maybe look at bidding out misdemeanors.

E. FitzGerald state there's a missing piece-Peer Statistics. This component is needed in order to do a comparison (measure ourselves) against other metropolitan areas.

#### EDC/CM Protocol 6 mo. Review-Judge Fuerst/Prosecutor McGinty

1. Arrest from municipality up to the time of appearance.
2. Goes off to Grand Jury or Early Case Management Track.

ECM-2011-12, 2011 52% went by way of information. This year they fell off by 45%. More cases went to the Grand Jury at initial appearance than last year. Tom Arnaut will generate reports in the next few weeks to see what's failing in ECM. Suggested adjustments-Regional Supervisors/Prosecutors available to mark cases.

Probation dept. using more referrals and electronic court supervised releases, notice to sheriff for capias and releases, beefed up cost and restitutions.

Teresa's thoughts on case management-Not efficient to gather information in court room.

E. FitzGerald had to leave and turned the meeting over to Judge Fuerst to chair the remainder of the meeting.

Judge J. Sutula stated that there had never been 180 days jail cases. The highest in the past was 138 days in 2006. Cases should be 2 mos. or less. There's still a need for each attorney to have sufficient time prepare their case.

#### Craig Tame- Community Council

Mr. Tame stated that the original Justice Center JMI Report didn't really get into anything with the external Justice Center players; Cleve. Rape Crisis Center, Domestic Violence Coordinating Council, Offender Reentry, Community Corrections and others. Make recommendations for their group-specific goals and measurements, ex. Model Domestic Violence Program.

#### Megan O'Brien-Rape Crisis Center

Voiced her concerns with the court system; Victim concerns are present, Victim Advocates available, adopting uniform policies with police/victim-victim centered.

1. Step by step process from evidence collection, interviewing victim, forensic evidence, medical care.
2. Victim Notification-Clients aren't informed of process-they drop off.
3. Re-traumatized when the process takes 6 mos. or longer.
4. Funding

The Imperial Avenue case caused in a short time frame tremendous changes within the Cleve. Police Dept.

#### Linda Johanic-Domestic Violence and Child Advocacy Center

The center not only provides services but works with systems changes with all counties. They have 3 goals:

1. Increasing victim safety.
2. Offender Accountability.
3. Reduce cost.

Domestic Violence calls are the number one call in the City of Cleve. and most suburbs. When domestic violence is linked with services, there's an increase in prosecution rates and conviction and there's a decrease in re-assaults.

Victim Notification-No social worker available to notify victim. Software is being looked at for an automated victim notification system.

Many police depts. and Court systems in Cuyahoga County are operating differently. Many police depts. in Cuyahoga are following Best Practices and Protocol. 21 have adopted the practices, 20 are working on adopting the practices, 16 did not respond.

Calling the 24 hr. Help Line to link victim to services-many police depts. are doing it, many are not. It makes a difference where it's done, reducing re-assault cost.

No central location for Domestic Violence Data-Cuyahoga County has no clue of how many incidents. The Domestic Violence Center called all municipalities to get the number of reported incidents. The total number was 22,000 domestic violence calls. The number reported to the Ohio Attorney General's Office was 7,800. We can't move forward without this data. We have no way of gauging how successful we are.

The Domestic Violence Center applied for a grant through the office of Violence Against Women. They should know in April. They met with Chief McGrath over a yr. ago and have partnered with Cleve. Police, Parma Police, CSU and CERU Research Teams and the Domestic Violence Center regarding The Lethology Assessment Program, modeled after a very successful program in Baltimore. The grant will be used to teach this program which trains law enforcement to do a Lethology Assessment by asking the victim 6-10 questions while on site. Based on the answers, the victim is connected right away to the hotline. Baltimore saw a 50% reduction in domestic violence homicides and a 60% reduction in re-assaults.

#### Jim Lawrence-Community Based Corrections Program

Looking at the Community Corrections Program in particular, at pre-trial cases; up to 60% in custody, are pre-trial and are misdemeanors. A lot of opportunity to get them back into the community under supervision. This will help manage the jail population. Must have a good community correction and pre-trial programs.

#### Jeff Mowry

IT Committee has successfully mapped out all IT systems.

1. Work with Sheriff's Office, upgrading MAX System in the Justice Center.
2. Discussed Integration Piece-prioritize 1) Dash Board 2) Integration Piece

T. McGinty stated that he was in agreement with anything that speeds up the system and makes it more transparent, saving millions of dollars for the courts.

IT team will define what "Integration" means and their perspective and will come back to the board.

#### **Other Business:**

##### County Stimulus Funding Update

Sheriff Bob Reid reported that \$511,000 was spent, remaining \$8,000 on Pub. Defenders, \$0 on Sheriff's Office, \$54,000 on Prosecutor's Office, \$345,000 on Common Pleas Court. Must be spent by March 1, 2013.

Beth Supan stated that the Prosecutor's Office was originally going to use \$25,000 towards Common Pleas furniture-renovation project for the attorney/client rooms. Double-checking with the division. Otherwise the money will go towards salaries.

Court-go towards a large amount of salaries, furniture/renovation, psychotropic drugs-CBCF.

Central Booking Project-weeks away from agreement.

Final draft agreement-Prisoner Project with the City of Cleve. and the Sheriff's Office will integrate about 20,000 additional prisoners into the corrections center. Timeline will begin Jan. 1, 2013 for 9 mos. transition from Cleve. House of Corrections to Sheriff's Office. This is 3 yrs. of work.

Outstanding warrants-County Executive mandated to have a baseline Jan. 1, 2013 on how many warrants are out.

Goal-Reduce the number of warrants on the books by 15% for 2012. This goal was reached in June, 2012. Outstanding warrants were reduced from 16,486 to 13,987, clearing unnecessary things out of the system. Now there can be more concentration on the warrants that are left.

Working with the Prosecutor's Office, Common Pleas Court and Clerk of Courts aided in the reduction.

Hiring of deputies-Process has been very slow, hard to complete background checks with staff shortage.

Hired 6 deputies in 9 mos. Will hire 9 additional in 3-4 weeks.

Interviewing 22 for 15 positions.

Will hire about 25 this yr. if not more.

Donna Kaleal and Beth Supan applied for the COPS Grant for \$1.2 mil. which should be received after the first of the yr. This will allow the Sheriff's Office to hire 8 additional deputies.

**Adjournment:**

Judge Nancy Fuerst stated the next meeting would be held November 29, 2012 and 2:00 p.m. and adjourned the meeting at 4:00 p.m.