



CRIMINAL JUSTICE SERVICES GOVERNING BOARD

February 14, 2013 - 2:00 p.m.
County Council Chambers
Justice Center 1st Floor

Meeting Minutes

Members Present:

<i>Edward FitzGerald, Chair</i>	Cuyahoga County Executive
<i>Judge Nancy Fuerst, Co-Chair</i>	Cuyahoga County Court of Common Pleas
<i>C. Ellen Connally</i>	Cuyahoga County Council President
<i>Timothy McGinty</i>	Cuyahoga County Prosecutor
<i>Robert Tobik</i>	Cuyahoga County Public Defender
<i>Frank Bova</i>	Cuyahoga County Sheriff - Interim
<i>Judge Ronald Adrine</i>	Cleveland Municipal Court
<i>Barbara Langhenry</i>	City of Cleveland Law Director
<i>Chief Christopher Kostura</i>	President, Cuyahoga County Police Chief Assoc.
<i>Judge Patrick Carroll</i>	Northern Ohio Municipal Judges Assoc.

Members Absent:

<i>Chief Michael McGrath</i>	City of Cleveland, Police Chief
<i>Judge Thomas O'Malley</i>	Cuyahoga County Juvenile Court
<i>Mayor Georgine Welo</i>	President, Mayors and Managers Assoc.

I. Call to Order

Chairman Edward FitzGerald called the meeting to order; roll was called; quorum in attendance.

II. Approval of Minutes

Motion to approve the minutes of the January 10, 2013 meeting as drafted made by Edward FitzGerald; C. Ellen Connally seconded the motion; all in favor; none opposed; minutes approved.

III. Public Comment – None

IV. Nominations / Elect Governing Board Vice-Chair

Chairman FitzGerald called for nominations for Vice-Chair. C. Ellen Connally nominated Judge Nancy Fuerst; Judge Adrine seconded the motion. With no further nominations, a roll call vote of the members present unanimously approved Judge Nancy Fuerst as Vice-Chair.

V. Council Chair Appointments

Per the Bylaws, Chair FitzGerald re-appointed the following Council Chairs:

- Agency Council - **Timothy McGinty**, Cuyahoga County Prosecutor
- Community Council - **Craig Tame**, U.S. Dept. of Justice
- Technology Council – **Jeff Mowry**, Cuyahoga County Dept. of Information Technology

VI. Vote on Performance Measures

Chairman Edward FitzGerald summarized the inception of the Justice Management Institute (JMI), leading to the creation of goals, objectives and performance measures. Most notable were communication issues over the years, and agreement on the terms to define the processes necessary to move forward.

Jennifer Scofield, CountyStat Coordinator, commented on the update and revision process for the Goals, Objectives and Performance Measures presented today, along with Colleen Reali from the Cuyahoga County Prosecutor's Office. Individual meetings and recommendations submitted from governing board members resulted in the following referenced documents:

1. **2013 Justice System Reform Goals, Objective and Measures (2.14.2013)**
2. **Goals and Recommendations – submitted by Judge Nancy Fuerst, Common Pleas Court**
3. **Recommendation of the Cuyahoga County Public Defender Office – Robert Tobik**
4. ***CourTools* (informational handout)**

Chair FitzGerald noted for the record, some items suggested within these documents are not performance measures, but more closely related to policy or procedural issues. In addition, some parts may require further discussion from committee. A thorough review of all documents will be made before the vote taken at this meeting.

Noted for the record were the ten (10) main objectives (with sub-objectives) in the 2013 JSR Goals with the floor opened for comments or questions. Extended discussion, question and answers included determining where reduction numbers and percentages arise from within several of the objectives. It was noted *CourTools* was a primary basis, analysis of other court systems, and review of national performance standards.

Prosecutor Timothy McGinty gave detailed explanation for each objective's numeration. When asked what monetary savings could be gained, he stated a general goal was \$10 million and could be achieved through revenues, efficiencies and collections. Chair FitzGerald stated for the record any savings related to these goals are not driven by a need for the County to increase revenue. The county is solvent and funds could go to support other services. Efficiency is a goal, not just economically, but also in terms of effecting justice services.

Continued discussion on the Objectives in terms of reducing the numbers/percentages and establishing baselines, with the goal to lower them, then review reductions achieved by the end of the year was suggested. **Robert Tobik and Timothy McGinty agreed to add language to Objective No. 1: “...by enhancing bond and program availability”.**

Judge Nancy Fuerst reviewed the eleven (11) Goals and Recommendation submitted by Common Pleas Court, General Division with the implementation of *CourTools*. She noted some items are aspirational to help achieve performance measures, specifically nos.1, 2 and 3. Chair FitzGerald asked where the numbers came from, to which she and Greg Popovich, Common Pleas Court Administrator, responded *CourTools* as a source, along with standards being set by the Ohio Supreme Court.

Chair FitzGerald noted nos. 1-5, and 10 would be measures the board would vote on and nos. 6-11 would be more policy. Barbara Langhenry stated she was uncomfortable with the language in no. 5, that it seemed more like a value judgment than an objective measure.

Robert Tobik reviewed recommendations nos. 1-9 submitted by the Cuyahoga County Public Defender's Office. Upon discussion it was determined all except no. 9 were not deemed performance measures. Chair FitzGerald reiterated the purpose of this meeting is to agree upon the performance measures and assigning the tools to achieve them with the help of policy determinations.

Chairman FitzGerald called for a motion to approve any combination of the items presented. Prosecutor Timothy McGinty moved to accept the 2013 JSR Goals, Objectives and Measures as amended by all parties involved, and all Common Pleas Court proposed performance measures; and to be further reviewed by Committee.

For the record Chair FitzGerald clarified the amendments:

- 1) Objective 1 pertains only to detention of individuals, not disposition of case.**
- 2) The numbers referenced under Objective 5 are to be determined in Committee then presented for adoption by the full Board.**
- 3) Common Pleas Court Recommendation Nos. 1 – 4 and No. 10 without alteration as performance measures. No. 5 amended to read as the first clause (sentence) "Reduce current misdemeanor outcomes in CP Court to less than 10% of total convictions."**

**The Motion made by Timothy McGinty; seconded by Judge Ronald Adrine.
Roll Call Vote of the members present indicated All in Favor; Motion Passed.**

Upon question by Robert Tobik, and further discussion by the Board, Chair FitzGerald clarified the numbers will be substantiated by data in all categories, to create a transparent process where the goals can be measured. The numbers stated in the document by the Court, and/or Prosecutor, are appropriate for the Committee to begin proceedings.

Lisa Williamson from the Prosecutors Office spoke on the proposed documents, noting inconsistencies and changed protocol in terms of redefining the Early Disposition Court (EDC) and Expedited Case Management (ECM) that could be immeasurable or impossible to perform. Chair FitzGerald stated he saw no conflict, and as the motion stands the EDC and ECM will be reestablished.

Central Booking / Jail Renovation – Sheriff Frank Bova

Cleveland Central Booking is a proposed system where all cases are evaluated on their merit, with all involved parties centrally located. Jail consolidation project with Cleveland prisoners is a separate project. The jail consolidation and renovation projects should be completed April 2013.

Stimulus Funds - Sheriff Frank Bova

Stimulus funds will be expended by the grant deadline of February 28, 2013.

With no objection by the Board, Chair FitzGerald delayed Committee reports until the next meeting.

New Business – None

Adjournment – Chair FitzGerald moved to adjourn; Judge Fuerst seconded the motion; all in favor; none opposed; meeting adjourned.