

AMENDMENT

This Amendatory Agreement made this ____ day of _____, 20__ is to amend Agreement AG1100007-01 entered into by and between Cuyahoga County, Ohio on behalf of the Cuyahoga County Office of Reentry (the "County") and Cuyahoga Court of Common Pleas with principal offices located at 1200 Ontario St. 15-B, Cleveland, Ohio 44113

WHEREAS, the parties have mutually agreed that changes are necessary to the Agreement as follows:

1. The reason for this amendment is to extend the time period, change the scope of services and to increase the agreement amount.
2. The Agreement period shall be extended from January 1, 2013 to December 31, 2013.
3. During the term of this Amendment, the Cuyahoga County Court of Common Pleas Reentry Court shall continue to provide the services outlined in the original Agreement and any subsequent amendments approved by the County and will provide services as outlined in Appendices "A", "B" and "C" attached hereto.
4. The amount of the Agreement shall be increased by \$67,000.00 bringing the total Agreement to an amount not-to-exceed \$184,000.00.

All other terms and conditions of the original Agreement, which are not expressly modified herein, shall remain in full force and effect.

BY ENTERING INTO THIS AMENDMENT TO AGREEMENT, I AGREE TO CONDUCT THIS TRANSACTION BY ELECTRONIC MEANS BY AGREEING THAT ALL DOCUMENTS REQUIRING COUNTY SIGNATURES MAY BE EXECUTED BY ELECTRONIC MEANS, AND THAT THE ELECTRONIC SIGNATURES AFFIXED BY THE COUNTY TO SAID DOCUMENTS SHALL HAVE THE SAME LEGAL EFFECT AS IF THAT SIGNATURE WAS MANUALLY AFFIXED TO A PAPER VERSION OF THE DOCUMENT. I ALSO AGREE ON BEHALF OF THE AFOREMENTIONED ENTITIES AND PERSONS, TO BE BOUND BY THE PROVISIONS OF CHAPTERS 304 AND 1306 OF THE OHIO REVISED CODE AS THEY PERTAIN TO ELECTRONIC TRANSACTIONS, AND TO COMPLY WITH THE ELECTRONIC SIGNATURE POLICY OF CUYAHOGA COUNTY.

IN WITNESS WHEREOF, the County and the Court have entered into this amendment
this ____ day of _____, 20____.

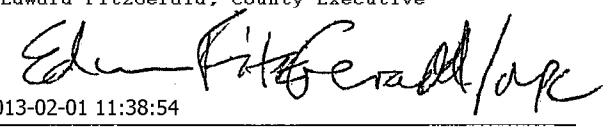
CUYAHOGA COUNTY COURT OF COMMON
PLEAS REENTRY COURT

BY: 

Greg Popovich
Court Administrator
Common Pleas Court

CUYAHOGA COUNTY, OHIO:

Edward FitzGerald, County Executive

By:  2013-02-01 11:38:54

Edward FitzGerald, County Executive

APPENDIX A

PROGRAM DESCRIPTION

Reentry Court, (REEC) implemented in January 2007 with grant funding award from the Office of Criminal Justice Services (OCJS), is a dedicated docket presided over by Judge Nancy Margaret Russo established to address the needs of offenders transitioning from prison back to the community.

The primary goal of the Reentry Court is to reduce recommitments to prison; congruent with the mission of ODRC: 'Beginning at sentencing and extending beyond release, Reentry will assess, identify and link offenders with services specific to their needs' in order to reduce the likelihood of additional criminal behavior. The Cuyahoga County Re-Entry Court embraces the utilization of the Office of Justice Program's core elements in its design of the Re-Entry Court.

REEC provides intensive programming and supervision to eligible offenders who have been sentenced to prison by our Common Pleas Court Judges. The Reentry Court has established specific criteria for eligibility. The target population for the Reentry Court is selected from the nonviolent general prison population and looks closely at offenders identified as severe threat-gang related offenders. To be considered the following minimum criteria should be met:

- Eligible for Judicial Release (An eligible offender is any person serving a stated prison term of 10 years or less which is not a mandatory prison term, or the offender has served the mandatory prison term for which the offender was sentenced.)**
- Sentenced in Cuyahoga County Common Pleas Court with a felony conviction**
- Reside in Cuyahoga County upon release from prison**
- No more than three prior state or federal prison commitments**
- No pending felony charges**
- No outstanding warrants other than minor traffic offenses**
- No contact sex convictions**
- Not currently serving time on more than two concurrent cases from Cuyahoga County**

Case plans, unique to each participant, are prepared and focus on specific offender needs, such as education, employment, housing, substance abuse and mental health treatment. Case plans are specifically tailored to provide the best possible opportunities for success upon release. REEC uses the power of judicial authority and sanctions, including a return to prison, to aggressively monitor released offenders and to increase public safety. The program links offenders to agencies and community organizations that provide needed services: assistance with substance abuse and mental health treatment, and various ancillary services such as housing, healthcare parenting, job training, life skills, general education, and mentoring, and family support services.

The Re-Entry Court (REEC) has established the following review/acceptance protocol:

- 1. Application or motion is received and sent through Phase I processing. (Applications are received directly from prisoners with cooperation of the ODRC caseworkers or from attorneys for defendants.)**
- 2. REEC Judge reviews Phase I and orders additional research for Phase II screening, including retrieval of prison institutional summaries and prison mental health assessments.**
- 3. At Stage II, the REEC determines:**
 - a. Eligibility or non-eligibility, and then,**
 - b. Acceptance or non-acceptance.**
- 4. If the defendant is eligible and accepted, the Sentencing Judge is notified by the REEC Judge, and the Sentencing Judge determines whether or not to transfer to REEC.***

(*The Sentencing Judge retains exclusive jurisdiction over this decision. In the event of transfer, the Sentencing Judge is relieved of any jurisdiction over the Defendant, including violations and new cases, if any, while the defendant is on judicial release. In the event of violations or new cases, the REEC is responsible for disposition of same, and no cases are transferred to the sentencing Judge, as a result of a transfer to REEC).

- 5. If the defendant is ineligible or declined by REEC, all materials gathered are sent to the Sentencing Judge for his/her reference in ruling on underlying Motion for Judicial Release.**

In March 2011, the REEC also established protocol within our Court to gather all judicial release motions filed with the Clerk, (whether filed pro se or by counsel) and to forward all said motions to REEC for processing and review.

The processing of all Judicial Release Motions has been centralized in order to identify potential clients for REEC, and to gather, for the Court, statistical data on Judicial Release Motions.

The Prosecutor's Office has been supportive of the REEC principles since its inception, and has recently agreed to forward copies of all Briefs in Opposition to Judicial Release to the REEC in order to ensure the data is captured, and that the Sentencing Judge (or REEC Judge upon transfer) has all relevant materials.

The REEC Judge sends a daily e-mail to the prosecutor listing all Judicial Release Motions received by the Clerk. This ensures the State receives prompt notice of filings and minimizes any chance of failure of service to the State.

In the event the Sentencing Judge does not wish to transfer the matter to REEC or the defendant is ineligible or declined, all research gathered is provided to the Sentencing

Judge for their individual review. In essence, the REEC is providing a support service to each of the Judges by gathering the Institutional Summary, prison records on mental health/physical disabilities, journal entry of sentence, and Pre-Sentence Investigation Report (PSI). This protocol also standardizes the data collection process for Judicial Release Motions.

Defendants transferred to REEC are granted judicial release and their prison term is interrupted. Comprehensive and stringent conditions are placed upon the defendant, with the goal of supporting the defendant(s) to a successful return to their families and the community.

The conditions of supervision are uniquely tailored to each defendant's specific needs. The defendant/clients meet regularly with a probation officer and monthly with the REEC Judge and each other, at a monthly status/report day. We encourage the attendance of their friends and families at these monthly meetings, recognizing the importance of outside support to successful re-entry.

In the event a defendant/client violates conditions, sanctions are imposed. Sanctions are imposed on a violation-by-violation, and case by case basis, thus ensuring that each client's particular challenges and strengths are considered. Sanctions may include incarceration in the County jail or CBCF, or a return to prison to serve the balance of the original sentence.

Successful completion of the program terminates any remaining prison term. We believe this is the best model for re-entry, as the incentive to stay out of prison is a strong and positive motivator for compliance. We believe that incentive, combined with our holistic, individualized approach, accounts for successful completion.

The processes and procedures of REEC are designed to encourage a continuation of the collaborative spirit, which created REEC. The Re-entry Court regularly seeks suggestions and comments from the clients in the program, the affected entities and governmental agencies, the service providers, and the Judges of our Common Pleas Court.

APPENDIX B

SCOPE OF SERVICES AND STATEMENT OF WORK

SERVICES:

Under the terms of this Agreement, the Cuyahoga County Common Pleas Court agrees to provide intensive probation supervision services to the Cuyahoga County Reentry Court, through its Adult Probation Department, specifically:

A. The Adult Probation Department shall designate a full-time Probation Officer to provide supervision to defendants under the jurisdiction of the Reentry Court perform the following functions with regard to this agreement, including, but not limited to:

- Provide supervision and case management to offenders on the Reentry Court docket;
- Provide support services for tracking and data entry of referrals, admissions, discharges, and communications regarding Reentry Court; and,
- Monitor services to assure conformity with this agreement, the rules and regulations of the Federal Government, the State of Ohio, and the County of Cuyahoga.

B. Criminal activity data for individuals will be provided through a working agreement with the Cuyahoga County Court of Common Pleas.

- Data will be collected on criminal activity occurring from the Office of Reentry Second Chance Programs and other selected programs. Record checks will be run at selected intervals upon program clients to determine their offense status. When criminal activity has occurred within a particular time period, an experienced officer will record the case information into an Excel data collection worksheet designed for this study. For each criminal case where an arrest occurred within the follow-up period, the following data variables will be collected:

Docket number

Arresting Agency

Arrest Date (if unavailable, indictment date, filing date or first court appearance date are used)

Most serious non-drug charge and conviction

Any Drug-related charge and conviction

Case Disposition

Disposition Date

Disposition Type (pending, dismissed, not guilty, guilty)

Sentence (incarceration, probation, other)

- When completed, identifying information will be removed and records will be identified via a unique identifier. The de-identified worksheet will be submitted to the evaluator.
- The Research Planner for the Court's Correction Planning Board will oversee the data collection and conduct a random accuracy check of 10% of the records. The Research

Planner will also de-identify the records before releasing the Excel worksheet to the evaluator.

REPORTING:

The Corrections Planning Board, shall provide fiscal and statistical reports on a quarterly basis to the Office of Reentry ("Agency") regarding Reentry Court activities

Fiscal Reports will summarize payroll expenses for the assigned full-time Probation Officer and the part-time clerical support person for salary and fringe benefit costs.

Statistical Reports will include the number of referrals, source of referrals, acceptance into Reentry Court, demographic information, and termination information as well as prison days saved with early release.

The Corrections Planning Board shall also provide record checking services to the Office of Reentry for the purposes of following re-offense status on participants in reentry programming at a rate of \$15.00 per record check and a \$25.00 per hour coordination fee. The total limit , not to exceed \$7,00. The time and cost rate is based on the assumption that the Office shall provide a spreadsheet and data base that is ready to accept the record check information and is populated with participant name, identifiers and dates of interest.

PERSONNEL:

The Cuyahoga County Common Pleas Court shall be responsible for the assignment, oversight and ensuring the fulfillment of the duties of the following positions:

Reentry Probation Officer

This position will supervise offenders granted judicial release and assigned to Reentry Court. Duties may include, but may not be limited to:

- Working with the Reentry Court Judge to implement and enforce Court ordered conditions of supervision
- Attendance at Reentry Team meetings and Court hearings
- Working collaboratively with the Reentry Team to implement the reentry supervision plan that may include referral to community resources
- Working as a team with other Probation Officers by making home and community visits to monitor compliance with rules of supervision
- Reassessing offender risk and need using appropriate instrument and updating the Reentry Case Plan
- Attend Reentry Training (including travel to prisons) as required
- Assessing eligible offenders and developing a reentry case plan for those offenders who are returned from the institution for a Judicial Release Hearing
- Recommend appropriate community resources and monitor effectiveness with this offender population

- Working collaboratively with assigned Reentry Team to monitor offender progress and act as a resource on alternatives to incarceration for technical violators. Tracking eligible offenders who might be considered for Judicial Release and Reentry Court
- Working with Ohio Correctional Institutions to obtain information regarding inmate institutional adjustment and other reentry appropriate information
- Maintaining program and offender data and preparing routine grant or other progress reports
- Reentry Coordinator shall provide program/grant administration oversight, statistical oversight and supervision of the Reentry Court Probation Officer

APPENDIX C

BUDGET

The Office of Reentry agrees to pay the Cuyahoga County Court of Common Pleas, Corrections Planning Board for the costs described below to the degree they are determined to be fair and reasonable for the implementation of the Reentry Court and Offender Record Check Program through the Adult Probation Department and Corrections Planning Board for an amount not to exceed **\$67,000.00.**

The Office agrees to reimburse the Cuyahoga County Court of Common Pleas, Corrections Planning Board for costs incurred for salaries for the following:

Title	No. Hrs.	Hrly Rate	Total
Probation Officer	2,080	17.13	\$35,630.04
Reentry Coordinator	228	39.85	9,085.80
Record Check Staff	350	\$20.00	7,000.00
Salary Subtotal			51,715.84

Fringe Benefits Subtotal:	14,038.41
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Total Salaries	\$65,754.25
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Parking - Probation Officer	\$600.00
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Bus tickets	\$645.75
Total Budget	\$67,000.00

To receive reimbursement for these costs, the Cuyahoga County Court of Common Pleas, Corrections Planning Board must submit an invoice detailing the actual expenses incurred during the billing month with the appropriate supporting documentation.

In order to meet the objectives of this program, the Office Of Reentry agrees to allow for the shifting of dollars within this category as necessary without a formal amendment and without exceeding the approved agreement amount. The Cuyahoga County Court of Common Pleas, Corrections Planning Board must submit this request in writing to the designated Contract Specialist for prior approval.