



Cuyahoga County Reentry Review

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Does Reentry Policy Affect Economic Development?

Incarceration rates in the United States have exploded over the last three decades. There are a number of reasons cited for this – public policies that have trended toward punishment rather than rehabilitation and a “tough on crime” stance from many politicians that plays well with voters. The federal War on Drugs that began in the 1970s and accelerated throughout the 80s and 90s created an explosion in the prison population. The United States now imprisons more of its citizens than any other nation in the world. On any given day, 2.2 million people are incarcerated in the United States, and over the course of a year, many millions spend time in prison or jail. 750,000 men and women work in correctional facilities. The annual cost: more than 60 billion dollars.¹ Nationally, between 1987 and 2008, the amount states spent on corrections outpaced the amount spent on higher education by more than 5 to 1.²

As we struggle to emerge from one of the worst economic downturns in history, government budgets are strained to the breaking point. A large percentage of the budgets of many states is spent on corrections systems. Once the domain of social workers and corrections personnel, the impact of incarceration is significant and is increasingly catching the attention of national business leaders due to the negative economic results of current policy.

Chicago Metropolis 2020 is an organization of business and professional people dedicated to maintaining the economic and social viability of the Cook County/Chicagoland region. The organization’s Executive Director, Frank Beal, had this to say in a recent interview,

“An organization such as Chicago Metropolis 2020 could choose a million issues to address but this is one where we felt that we could make a significant contribution. The voices for reform have been quite limited and we thought that we could bring a new voice on the fiscal and economic side of the issue that wasn’t being articulated effectively. We got involved for two reasons. The first is a purely fiscal argument – that government is spending too much money without seeing a good return on investment. The second reason is that if you’re incarcerating people, you are incarcerating part of our workforce instead of educating them, and you’re taking away too many people from a productive economy. In the current system, we’re wasting human capital that could be put to productive uses. Improving the system will improve our economy and in the long run improve our financial situation because they end up paying taxes rather than costing taxpayers money.” //

The State of Ohio is wrestling with the same issues that are facing Illinois and many other states. Estimates are that one in three Ohioans has had some contact with the criminal justice system. As of March 2010, the population at our state prisons was 50,993 inmates. This far exceeds the design capacity of 38,000. If nothing changes, the inmate population is projected to reach 60,000 by 2018.⁴

An editorial in the Columbus Dispatch points out that, “Ohio, unlike the federal government, is forced to balance its budget. So every dollar that goes into housing, feeding and providing health care to prison inmates – about \$1.8 billion annually – is a dollar that’s not available for education, infrastructure and the needy.”⁵

“Throwing Away the Key?” Not Really.

Despite the expense and the growth in our state prison system, a legitimate question still remains: Are we safer as a result? The more urgent question is: What are we doing once these inmates are released? While some people may say that we should just lock inmates up and throw away the key, the fact is that most of these prisoners will eventually be released. Nationally, “over the course of a year, 13.5 million people spend time in jail or prison. Ninety-five percent of them will eventually return to our communities.”⁶

Cuyahoga County is unique in Ohio due to the fact that our county accounts for the lions’ share of residents going to prison. We also receive the majority of those residents who are released from state prison. Locally, we pay for the cost of incarceration in two ways. On the front side, we pay for these county citizens to be incarcerated. On the back side, we pay again when these citizens, many of whom have been convicted for non-violent offenses, return home to our community branded as “criminals,” “offenders” and “felons.” Although they have technically served their time, they return stigmatized, hampered by ongoing collateral sanctions and facing a number of new barriers that further harm their ability to become productive and contributing members of the community.



The Less-Publicized Cuyahoga County Crisis

The Census is being taken right now and Cuyahoga County, especially the City of Cleveland, fears a sobering result. Our region continues to lose population; the remaining population is aging and those in need of services have increased while our tax base and resources are declining. In the last decade, we have suffered through a number of crises – the foreclosure crisis, credit and banking crisis, job loss and unemployment crises. However a quieter, less-publicized, but no less insidious crisis continues to grow.

Each year, more than 10,000 formerly incarcerated people return to Cuyahoga County. This is fully 22% of all released inmates in the whole state of Ohio. Approximately 7,000 of these formerly incarcerated citizens return to the City of Cleveland – mostly to five neighborhoods: Hough, Central, Glenville, Mt. Pleasant and Union-Miles.⁷

Successful Reentry Programs Can Prevent Returns to Prison

These returning citizens face a number of challenges and real barriers to successful reentry. In 2001, the Urban Institute launched a comprehensive study of released inmates in four different states. Published in November 2003, the report entitled *Returning Home: Understanding the Challenges of Prisoner Reentry*, explored the experiences of men and women who returned to Maryland, Illinois, Texas and Ohio. In 2007, the Institute followed up with interviews with “nearly 300 former prisoners at least 12 months after release who were living in Cleveland and the surrounding area.”⁸ The problems the interviewees reported were primarily: finding stable housing in desirable neighborhoods, finding employment, finding health care including mental health care, and problems with ongoing substance abuse. On all of these factors, the report found that formerly incarcerated persons who reported having success in meeting their needs in these areas were less likely to reoffend and return to prison. It also pointed out the increasing need for reentry services and said, “returning prisoners often seek out programs and services to increase their chances for reentry success.” In the study “about two-thirds received services in the year after release, and such participation appeared to increase reentry success.”⁹

Returning citizens who reported that they had high-quality family relationships also were more successful in rejoining their communities. In fact, “when asked to name the most important thing keeping them out of prison, one in four men identified family support.”¹⁰ Including the families of formerly incarcerated persons in reentry programming not only helps the former inmate, but also contributes to breaking the generational cycle of dysfunction, poverty and hopelessness that leads to repeat incarceration being passed down as a tragic family tradition.

(Continued on Back Cover)

Coming Home to Stay Through the Cuyahoga County Reentry Court



The Citizen Jury Wheel
Cuyahoga County Justice Center

Reentry Court Mission Statement

The primary goal of the Reentry Court is to reduce commitments to prison. Beginning at sentencing and ending beyond release, Reentry Court 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 Reentry Court (REEC) started in 2007 as one response to address Ohio’s prison population, which has increased dramatically over the last few decades. As more people are sentenced and more people come home from prisons, the people who are involved with the criminal justice system are looking at new ways to help returning citizens stay out of prison for good. Cuyahoga County’s Reentry Court is one such alternative. Reentry Court can provide an opportunity for the incarcerated to return to the community and build a new life under the direction of the Reentry Court Judge Nancy Margaret Russo and her court staff. The mission is clear:

“It is my honor and privilege to preside over the County’s first Reentry Court Program. The REEC proves that there is hope, and that offenders can find stability for themselves, their families and their communities, if given the proper guidance, discipline and support,” Judge Russo said. “The REEC Team works closely to review applications and to ensure to the best of our ability, that the persons chosen for the program will succeed and not re-offend, thus accomplishing our dual purpose of stopping the cycle of offending, and protecting the public.”

Who Can Go to Reentry Court?

Reentry Court participants are selected from the general prison population. The individual must have been sentenced through Cuyahoga County Common Pleas Court and be eligible

for Judicial Release as defined by ORC 2929.20. In addition, the individual must:

- ♦ Have 6 months or more remaining on the sentence
- ♦ Be incarcerated and not serving a mandatory prison term
- ♦ Will live in Cuyahoga County upon release from prison
- ♦ Have no more than 2 prior state or federal prison commitments
- ♦ Have no pending felony charges
- ♦ Have no sex offense convictions
- ♦ Have no outstanding warrants (except minor traffic violations)
- ♦ Not currently serving time on or than 2 concurrent cases from Cuyahoga County

How Does It Work?

Currently incarcerated persons must complete a specific application for Reentry Court and sent it to Reentry Court. The Reentry Court Team will review the application to make sure that the applicant is eligible for Reentry Court. The applicant’s attorney, public defender or the sentencing judge may also make a referral to Reentry Court. If the applicant is eligible, the sentencing judge may grant judicial release and turn the case over to the Reentry Court Judge for further consideration; the sentencing judge may also choose to transfer jurisdiction of the entire case to the Reentry Court judge at time of receipt of the application. If the applicant is accepted into Reentry Court this is what will happen:

- ♦ The Reentry Court participant will work with the Reentry Court Probation Officer to develop a case management plan to address any barriers to reentry.
- ♦ A Reentry Court Probation Officer will supervise the participant
- ♦ The participant will appear before the Reentry Court Judge monthly for status hearings

When the participant successfully completes the Reentry Court case plan, the participant graduates from Reentry Court and the Reentry Judge will release the participant from community control.

What Are the Benefits?

Participation in Reentry Court provides a number of benefits. People who are accepted into Reentry Court and successfully work with their Probation Officer on their case plan will get assistance with housing, health care, substance abuse and mental health treatment along with training and guidance to remain a contributing member of the community. This training includes assistance with education, job training, life skills training, mentoring programs, family support services and community support services.

Reentry Court Partners

The Reentry Court works with a number of other organizations that share the goal of reducing prison commitments in Cuyahoga County. The State of Ohio Office of Criminal Justice Services provides grant funding for the program, the Cuyahoga County Department of Justice Affairs Office of Reentry provides the match. The Reentry Court collaborates with numerous stake holders, including, the Alcohol, Drug Addiction and Mental Health Board of Cuyahoga County, the Ohio Department of Rehabilitation and Correction, the State of Ohio Office of Reentry and the United States Attorney of the Northern District of Ohio.



More Information

For more information about Reentry Court, please visit their website at <http://cp.cuyahogacounty.us>. You can also call Reentry Court Probation Officer Mike Long at 216-443-5459 for further information. If you are currently in prison, you can get an application from your Case Manager. Your attorney or public defender can give you information. The application is also available on the website.

Sources: Cuyahoga Common Pleas Reentry Court information and website, Ms. Maria Nemeč, Judge Nancy Margaret Russo

We want to hear from you...
Your comments are important to us.
Write to us at
Cuyahoga County Department of Justice Affairs
Office of Reentry
310 West Lakeside Avenue, Suite 550
Cleveland, OH 44113

Expungement

Although many ex-offenders have heard of the term “expungement,” most have little understanding about what it really means and how to make it happen.

Section 2953.32 of the Ohio Revised Code deals with the requirements and process of “sealing of record of conviction”—the equivalent of expungement. It is important to recognize that expungement never happens automatically. While traffic tickets “disappear” after 24 months, criminal ex-offender must submit an application to the court.

The Advantage of Expungement

On the positive side, if the application is granted, “the proceedings in the case shall be considered not to have occurred and the conviction... of the person who is the subject of the proceedings shall be sealed.” Neither the

offense nor the conviction can be discovered in a criminal background check. Likewise, a person would not be required to list the offense on any application for employment or housing.

Limitations

On the negative side, there are a number of serious restrictions that prohibit courts from granting expungement. First, many types of serious convictions can never be expunged. For example, first or second degree felonies, any felony (or first degree misdemeanor) offenses of violence, any sex offense, or convictions where the offender is subject to a mandatory prison term, cannot be expunged.

Second, expungement is permitted only for a first-time offender, with the possible exception of two or more

convictions that result from the same indictment or proceeding and from related criminal acts that were committed within a three-month period. Repeat offenders are never able to have their records sealed. It does not matter how long ago the offense took place, or how much evidence of rehabilitation there is.

When and Where to Apply

A first-time offender can apply to have his/her record sealed only after three years have passed since the offender’s final discharge if convicted of a felony or one year after final discharge for a misdemeanor. There is no deadline to apply. The responsibility for seeking expungement lies solely with the ex-offender. While the Bureau of Motor Vehicles sends a notice and necessary documents to car owners when it’s time to renew their

auto registration, ex-offenders receive no such notice of eligibility from any government agency. You must apply; the process is not automatic.

The application should be made to the court that sentenced the offender if convicted in Ohio. If the conviction was either in another state or in federal court, the application should be made to the Common Pleas Court.

The Process

Once an application to seal the record is filed, the court must set a date for a hearing. You cannot be denied expungement without a hearing (as long as you do not fall under one of exceptions discussed above). On the other hand, the prosecutor must be given the opportunity to file an objection prior to the hearing. If the prosecutor is not given that opportunity, the record will be unsealed until proper procedures are followed.

If all of the eligibility requirements are met (single of-

fense eligible, no pending criminal proceedings, proper time for filing), the court must order the record sealed so long as it finds that “the interests of the applicant in having the records...sealed are not outweighed by any legitimate governmental needs to maintain those records” and that the rehabilitation of the applicant has been attained.

It is very important, therefore, that the ex-offender use the waiting period before being eligible to apply for expungement to demonstrate rehabilitation. Participation in programs designed to assist reentrants and volunteer work in the community provide strong evidence of rehabilitation.

Efforts are underway to urge the Ohio legislature to reform some of the rules governing expungement and, possibly, expand eligibility. Some suggestions are to reduce the number/types of offenses that can never be



expunged, and to allow repeat offenders the opportunity to apply for expungement after the passage of a certain amount (longer than for first offenders) of time has passed. The Cuyahoga County Office of Reentry is at the forefront of this reform effort.

Does Reentry Policy Affect Economic Development? (Continued from Front Cover)

One Example of the Economic Impact of Successful Reentry: Mental Health Services

For the mentally ill or those addicted to drugs or alcohol, prisons have increasingly become substitute hospitals. Untreated substance abusers and inmates with chronic mental illness add to the problem of prison overcrowding. In most instances, these inmates have no one to help them and nowhere else to go. Approximately 10 – 15% of the inmates released from prison that return to Cuyahoga County have severe and persistent mental illness and are in need of specialized services. Community-based treatment programs are a far more cost-effective solution.

Mr. William M. Denihan is the Chief Executive Officer of the Cuyahoga County Alcohol, Drug Addiction and Mental Health Services Board (ADAMHS) and also serves as the Chair of the Greater Cleveland Reentry Strategy Leadership Coalition. He cited the results of a recent study done by the ADAMHS Board of reentry programs for the mentally ill. The findings were striking and Mr. Denihan believes they make a strong business case argument for local treatment services.

“It costs almost \$25,000 per year to incarcerate an inmate in prison, and much more for an inmate that needs comprehensive mental health services. It costs less than \$5,000 per year to provide successful outpatient mental health services to a former inmate in the local community. For every one person with mental illness incarcerated in prison, prison reentry programs could serve more than five individuals through intensive outpatient mental health services. In addition to helping provide care that is more appropriate for mental health consumers, this would additionally generate a substantial cost savings for the Ohio Department of Rehabilitation and Corrections and for the State of Ohio,” Mr. Denihan said.

Going Forward

When reentry efforts are ignored, neglected or unfunded leaving returning citizens without the hope of finding a job, housing, or the ability to work toward a productive future, the economic impact spreads beyond just that individual returning citizen. Effective reentry programs can have a major positive economic effect – both in outright dollar savings and in the increased participation and productivity of valuable human resources in our community.

For example, the ADAMHS Board of Cuyahoga County currently funds three main prison reentry programs for mental health consumers being released to the community from correctional facilities. The overall goal of these programs is to reduce recidivism of the mentally ill in the criminal justice system, increase access to mental health and other services available to mentally ill offenders, stabilize their mental illness, and provide referral and linkage to critical benefits and ancillary support. Current funding is limited to less than 300 reentry consumers served by these three programs.

Returning Home Ohio - Mental Health Services, Inc. has lowered recidivism rates from 50% to 4%. Serving 84 reentry consumers produced a cost-savings of \$944,000.

Parole/Assertive Community Treatment (P/ACT) at Recovery Resources has lowered recidivism from 65% to 25%. Serving just 75 reentry consumers produced a cost-savings of \$732,780.

Correctional Advocacy and Re-Entry Support (C.A.R.E.S.) Prison Outreach at Murtis Taylor Human Services System has lowered recidivism from 50% to 9%. Serving just 97 reentry consumers produced a cost-savings of \$971,400.

These are truly successful model programs that are clearly worth funding, and that could have a much greater impact with increased funding.

Cuyahoga County is fortunate to have a number of champions working at all levels of government and in both the public and private sectors to create and sustain successful local reentry strategies. Increased awareness and funding support is essential to address this urgent crisis, with the goal of ultimately reducing recidivism, increasing public safety and maximizing the contributions of every citizen in our community.

Sources:

- ¹Commission on Safety and Abuse in America's Prisons. (June 8, 2006). Confronting Confinement. Presentation of the Report to the US Senate Judiciary Subcommittee on Corrections and Rehabilitation. p. 11. <www.prisoncommission.org>
- ²PEW Center on the States. Right Sizing Prisons: Business Leaders Make the Case for Corrections Reform. Issue Brief. (January, 2010). p. 4.
- ³PEW Center on the States. (January, 2010). p. 3
- ⁴Columbus Dispatch. "Editorial: Overdue" (March 15, 2010). <www.dispatch.com/live/content/editorials/stories>
- ⁵Columbus Dispatch. (March 15, 2010).
- ⁶Commission on Safety and Abuse in America's Prisons. (June 8, 2006). p. 11.
- ⁷Nancy G. La Vigne and Gillian L. Thomson. A Portrait of Prisoner Reentry in Ohio. The Urban Institute (November, 2003).p.9 <www.urban.org>
- ⁸Christy A. Visher and Shannon M. E. Courtney. One Year Out: Experiences of Prisoners Returning to Cleveland. The Urban Institute (April, 2007) pp. 11-12. <www.urban.org>
- ⁹Visher & Courtney (April, 2007) pp. 11-12.
- ¹⁰Visher & Courtney (April, 2007) p. 2.

Citizen Circles Locations

The Euclid Avenue Citizen Circle

The Church of the Covenant
Kathleen Farkas
11202 Euclid Ave.
2nd Monday of every month at 7:00 pm
216.421.0482 ext. 282

East Cleveland

Andrea Graham
1850 Belmore Ave.
Last Wednesday of every month
at 5:00 pm
216.249.0330

Zion Chapel

Rev. Dennis Jonel
4234 Lee Rd.
3rd Monday of every month at 6:00 pm
216.752.2743

CEOGC

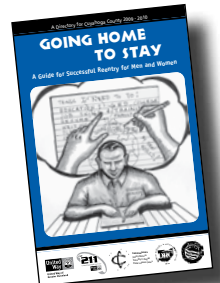
Medical Arts Building

Lewis West
2475 E. 22nd St.
(Lower level)
2nd Monday of every month at 11:30 am
216.357.2621

Mt. Pleasant

Murtis Taylor Center

Diane Cox
13411 Kinsman Ave.
1st Tuesday of every month at 6:00 pm
216.751.1085



COMMENTS OR SUGGESTIONS:
Cuyahoga County Office of Reentry
email: ReentryInfo@cuyahogacounty.us
phone: 216.698.2501

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Going Home to Stay

contact First Call for Help at 216.436.2000 or go online and download a copy at www.211cleveland.org/pdfs/communityreentry.pdf