



Cuyahoga County Reentry Review

Attorneys Launch New Initiative on Reentry



A new weapon is being developed in the battle faced by formerly incarcerated citizens reentering the community. The Cleveland Lawyers' Initiative on Reentry is the brainchild of Brian Lamb, a partner and member of the executive committee at Thompson Hine, LLP—one of Cleveland's largest and most respected law firms. Lamb first got the idea for the Initiative in May 2009, shortly after joining the Board of Trustees of Towards Employment, Inc., a non-profit corporation whose mission is to empower individuals to achieve and maintain self-sufficiency through employment. "I didn't realize when I joined the board of a workforce development agency that I would be able to use my position as a lawyer to further the mission," Lamb remarked. "I soon learned that there are many people in Cleveland with criminal records who wish to turn their lives around and rejoin the workforce - something that is in the best interest of society as a whole. But having a criminal record poses special obstacles to obtaining a job," Lamb explains. "I met some lawyers, such as Mark Gallagher and his colleagues at Towards Employment, who devote their careers to helping ex-offenders overcome obstacles to employment, and I began to see first-hand the high demand for such legal services and the relatively low supply of lawyers providing such services. I thought I could make a difference by organizing and inspiring Cleveland lawyers to get involved in reentry issues."



Brian Lamb

Earlier this year Lamb and Jill Rizika, the Executive Director of Towards Employment, presented the idea for the Lawyers' Initiative to the Justice for All Committee of the Cleveland Metropolitan Bar Association. He soon began to turn this idea into a reality.

Lamb teamed up with Melissa Zujkowski, the lawyer heading the Cleveland Homeless Legal Assistance Project, which runs pro bono "brief advice/intake clinics" for people who have some of the same legal issues as the reentry population. Under Melissa's guidance, they created a brief advice/intake clinic focusing on reentry issues at the Cuyahoga County Office of Reentry's sponsored North Star Neighborhood Reentry Resource Center on E. 55th, which they are now staffing once a month.

Having achieved some small victories, they decided to convene a broader meeting of Cleveland area lawyers who are interested in reentry issues. The first meeting of the Cleveland Lawyers' Initiative on Reentry was held on September 27, 2010. Twelve attorneys attended this initial meeting and a dozen more expressed interest, but were unable to attend. The initial participants ranged from attorneys who deal exclusively with reentry issues, to those who have had no involvement or knowledge about the topic.

"I am particularly pleased that the lawyers who have joined this initiative have diverse experiences and come from a wide array of organizations: non-profits; city and county government offices; public defenders offices; bar associations; corporations; and private law firms. Hopefully, this will make the group well-informed and open more doors to collaboration," Lamb remarked.

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Cleveland Lawyers' Initiative on Reentry
 Invites all attorneys to help make a difference.

Meeting schedule:
 November 17, 2010
 December 15, 2010
 4:30 – 6:00

At the offices of Thompson Hine, LLP
 3900 Key Center
 127 Public Square
 Cleveland, OH

For information or to reserve a space, contact
 Brian Lamb at
 (216) 566-5590 or
 Brian.lamb@thompsonhine.com

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Bar Association Sponsors Seminar on Reentry

The Criminal Law Section of the Cleveland Metropolitan Bar Association (CMBA) sponsored a seminar entitled, *Reentry Courts and Bringing Ex-Offenders Back into Our Communities* this summer. This three-hour program was designed to provide attorneys with information about both the Cuyahoga County Reentry Court (REEC) and the federal reentry court.

More than 50 people—mostly attorneys (prosecutors, defense attorneys, and judges), but also service providers and some returning citizens—heard Judge Nancy Margaret Russo, the REEC judge, and Maria Nemec, the Corrections Planning Board Administrator, describe the purpose, function, and procedures of the county REEC. Luis Vazquez, Manager of the Cuyahoga County Department of Justice Affairs' Office of Reentry, gave an overview of the role of his office and the various reentry programs offered in the region.

The second hour of the program was devoted to the newly created federal reentry court program in the Northern District of Ohio (including Cuyahoga County). The panel consisted of representatives from all parts of a criminal proceeding—Magistrate Judge Vernelis K. Armstrong, Assistant United States Attorney Ava M. Rotell Dustin, Assistant Federal Public Defender Donna M. Grill, and Assistant Federal Public Defender Charles E. Fleming. U.S. Probation Officer Lewis T. Simpson, Jr. also participated in that panel discussion.

The final segment of the seminar focused on efforts to assist returning citizens who have been released from incarceration. Jimmy Tyree, U.S. Probation Officer and Director of Jobs Program, discussed the barriers faced by returning citizens and the efforts of his office to help them secure employment. Lewis Simpson, U.S. Probation Officer, N.D. of Ohio, Western Division and Paul Klodor, Executive Director of Court Community Service, reinforced Tyree's description of the difficulties faced by a reentrant and explained the roles of their offices.

Also on the panel were Marc and Jana Crosby, the co-founders of Just Like Us Enrichment Center in Cleveland—a non-profit organization that offers services to help the formerly incarcerated. While they reiterated the challenges facing returning citizens, they provided optimism in describing the development of their organization and the successes that they have had at placing reentrants in steady employment.

The highlight of the seminar, however, was not part of the official program. A group of reentrants who have participated in reentry court were invited to the podium to speak not only about their offenses, but the impact that reentry court has made on their lives. The attorneys attending the seminar were both fascinated and visibly moved to hear former felons both praise and speak about the close relationship that they established with the reentry court judge.

Reentry court differs from the traditional judicial setting in many ways, but most striking are the roles the "players." In a traditional judicial proceeding, the prosecutor and defense attorneys have an adversarial relationship and the judge rules on issues of law. In the reentry court setting, all three adopt less adversarial roles by working together to develop and monitor a program uniquely designed to help the offender succeed in turning his or her life around.

The genesis for a Continuing Legal Education (CLE) program about the county's program came from Judge Nancy Margaret Russo, the REEC judge, according to Dennis Terez, who served as chair of the seminar. "It was a natural that we present the two programs -- the county and the federal programs -- together, since they are both starting down the reentry road at roughly the same time. More importantly, each has something to teach the other, and lawyers need to be familiar with both if they are to truly help their clients reintegrate into society after being released from prison."

Terez is the federal public defender for the Northern District of Ohio. He deals with issues facing alleged offenders on a daily basis and sees the value of projects such as the reentry court. "Current national rates of recidivism approaching roughly 75% should be unacceptable to all citizens. Recidivism reflects an important truth: the criminal justice system is having only a minimal rehabilitative impact on defendants," Terez laments. "Reentry programs reduce that percentage to a more acceptable number." He is convinced that "focusing our energy and our resources on reentry makes good economic sense and good common sense. The irony is that it is less expensive to undertake sound reentry efforts than to further incarcerate individuals."

Terez is committed to providing future programs to educate lawyers about the barriers facing returning citizens and the importance of reentry programs.



Dennis Terez

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

Our website:

<http://ja.cuyahogacounty.us/en-us/office-reentry.aspx>

Reentry Court

Cuyahoga County has long been at the forefront of efforts to assist formerly incarcerated people in their transition from incarceration to independence. While some “one-time” or occasional reentry-related programs, such as the recent Fugitive Safe Surrender, attract much fanfare and media attention, many of the ongoing reentry programs remain virtually unknown to the general public, and even to the legal community. One such program is the Cuyahoga County Common Pleas Court’s Reentry Court (REEC).

Cuyahoga County’s REEC was established in September 2007 as a result of the Common Pleas judges’ vote to accept a grant from the federal Office of Criminal Justice Services. The specialized docket for REEC is presided over by Judge Nancy Margaret Russo.

The primary goal of REEC is the same as that of most reentry programs—to reduce recidivism. It attempts to do so by providing a new model for dealing with prisoners’ sentences. Under the *traditional* judicial model, an offender will serve his or her sentence and then be released—either under the supervision of a parole officer or totally unsupervised. No consideration is given for the needs of the reentering citizen or the circumstances that may have been an underlying reason for the criminal behavior. Under the traditional system, a majority of those released recidivate within two years of their release. The Reentry Court model, on the other hand, offers a convicted felon the opportunity for a reduction in prison time (judicial release) under careful supervision and according to the terms of a specifically defined case plan.

REEC hopes to redefine the role of the judiciary. In its stated mission, “Reentry Court will assess, identify, and link offenders with services specific to their needs in order to reduce the likelihood of additional criminal behavior.” Judge Russo sees REEC as a means not only to reduce recidivism, but also “to strengthen families and communities and protect the public from future crime, by providing intensive supervision of defendants, education and work skills, and, where warranted, substance abuse and mental health treatment.”

The screening process of applicants is quite intense. From its inception through the middle of September, 2010, REEC has processed 2,229 referrals, of which 83 offenders have been admitted into the Reentry Court program. Those accepted are transferred into the Reentry Court program by means of Judicial Release, which may be granted by the presiding judge of the applicant’s case or by transferring jurisdiction to the REEC judge.

The target population for the Reentry Court is selected from the general prison population sentenced for a felony offense by the Cuyahoga County Common Pleas Court, and returning to the county upon release. In order to be eligible for acceptance in into the REEC program, the applicant must have no more than two prior or federal or state prison commitments, have no pending felony charges or outstanding warrants, no prior sex offense convictions, not currently be incarcerated for a weapons related offense, not be serving time on more than two concurrent cases from Cuyahoga County, and not be serving a mandatory sentence.

Those accepted into the REEC program are placed under community control under the supervision of the Intensive Supervision Program (ISP) in the Adult Probation Department for approximately one year (or until certain benchmark goals are met). Participants are attracted to the program because of the possibility of early release from prison. They soon realize, however, that this is not like the

typical probation.

REEC provides intensive programming, supervision, and case management. Individualized case plans are developed to focus on the specific needs of each participant, such as education, job skills training and employment, housing, substance abuse, and mental health treatment. Judge Russo carefully manages the caseload and requires participants to attend monthly status/compliance hearings in court to demonstrate their participation and track their progress in required treatment, training programs, and needed ancillary services. In addition, participants must submit to periodic drug testing while under the jurisdiction of REEC.

If early release is the carrot, the judicial authority of the REEC is the stick. Participants who fail to follow the program established for them can be returned to prison to finish their sentence.

Maria Nemeč, the administrator of the Corrections Planning Board is very pleased with the outcomes to date. Of those admitted into the REEC program, 74% have successfully completed/graduated from the program. Nemeč is particularly pleased due to the fact that two-thirds of the REEC participants have been repeat offenders, 86% have substance abuse issues, and 36% have mental health issues.

Judge Russo is also very enthusiastic about, and energized by, her participation in Reentry Court. Most judges try a case, sentence the offender upon conviction, but never get an opportunity to follow up with the offenders. Russo has the opportunity to get to know the participants in REEC as individuals, not just as defendants. She, too, is pleased with the progress made by REEC. “I see lives being positively changed, families healed, and people returned to the community with a new sense of worth and value,” Russo noted.

Judge Russo hopes that REEC continues to expand. “The long-term vision is to have 100 active clients at any given time,” Russo stated. She has had nothing but positive feedback from everyone that she has worked with or spoken to about REEC.

According to Nemeč, the early release granted to the 83 participants in REEC court to date resulted in a total of 27,704 prison days saved. The state of Ohio has calculated the per diem rate of keeping an offender in prison at \$69.38. The total savings in per diem incarceration costs, therefore, have been nearly two million dollars (\$1,922,103.52). If reentry is successful and the participants in REEC avoid criminal activity and become productive members of the community, the savings will be many times greater than the costs associated with REEC.

Russo’s biggest frustration about REEC is that, with the exception of about 10 attorneys, “the defense bar have basically not availed their clients of the opportunity and only a few judges are sending us their cases to review directly.” One of the reasons may be a lack of knowledge about the procedures or even the existence of REEC on the part of attorneys. Efforts are now being made to increase the level of awareness and involvement of lawyers in reentry issues.



Attorneys Launch New Initiative on Reentry *continued from page 1*

The first meeting was devoted to a brief overview presentation about reentry and a brainstorming session about ways in which attorneys could assist the reentry community and ways to educate and get more attorneys to become involved. "There are many worthy efforts going on in our city and region regarding the broad subject of reentry; this particular initiative focuses on things that lawyers can do to make a difference," Lamb explains. "These include creating and staffing pro bono "brief advice" clinics; referring ex-offenders with more complex problems to qualified lawyers or resources; working on public policy issues; drafting amicus briefs in high profile reentry-related cases; and providing legal and HR education opportunities that focus on reentry issues."



Although the Cleveland Lawyers' Initiative on Reentry will be geared to mobilizing the legal community's involvement in reentry, discussion also focused on how the group might coordinate some of its efforts with the Greater Cleveland Reentry Strategy.

The Initiative will meet twice more this year. Any lawyers interested in participating are asked to contact Brian Lamb at (216) 566-5590 or brian.lamb@thompsonhine.com.

The Citizen Circles Concept



Citizen participation and guidance is essential for correctional practices inside and outside institutions. The Ohio Department of Rehabilitation and Correction has embraced the needs related to offenders returning home from correctional settings and as such one strategy is the implementation of Citizen

Circles. The focus is on eight dynamic domain areas: employment, education, associates/social interactions, family/marital, substance abuse and community functioning, personal/emotional orientation and attitude. They create partnerships that promote positive interaction and accountability for offenders upon release. Circle members address risks that contribute to criminal activity by taking ownership of the solution. It is an opportunity for citizens to communicate expectations for successful reentry and help offenders recognize the harm their behavior has caused others. Offenders are able to make amends and demonstrate their value and potential to the community.

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 Belmont 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

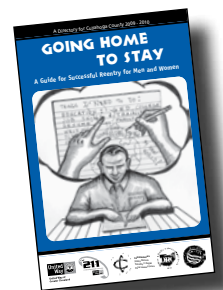
Murtis Taylor Center

Diane Coates
13924 Bartlett Ave.
1st Tuesday of every month at 6:00 pm
216.751.1085

GREATER CLEVELAND STRATEGY
Cuyahoga County Reentry Review

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

To receive a copy of **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

