

Cuyahoga County Re-entry Court

Cuyahoga County Re-entry Court implemented in 2007 and funded through the Office of Criminal Justice Services is a specialized docket presided over by Judge Nancy Margaret established to address the needs of offenders transitioning from prison back to the community.

The primary goal of the Re-Entry Court is to reduce recommitments to prison. Congruent with the mission of ODRC: 'Beginning at sentencing and extending beyond release, Re-Entry will assess, identify and link offenders with services specific to their needs in order to reduce the likelihood of additional criminal behavior.

The Re-entry Court provides intensive programming and supervision to eligible offenders by preparing case plans that center on specific offender needs such as education, employment, housing, substance abuse and mental health treatment, thereby providing the best possible opportunities to succeed after their release. REEC uses the power of judicial authority to aggressively monitor released offenders to increase public safety and links offenders to agencies and community organizations that provide needed services.

The target population for the Re-Entry court is selected from the nonviolent general prison population sentenced through Cuyahoga County Common Pleas Court and does look closely at offenders identified as severe threat–gang related offenders. The Re-Entry court participants are under the supervision of the Intensive Supervision Program (ISP) in the Adult Probation Department. The Re-Entry Court offers a coordinated, stepwise approach, requiring regular court appearances and offering services and other incentives to increase the chances of participant success. Based on Drug Court model, a dedicated Re-Entry Court Docket Judge manages the caseload and requires participants to attend regular court appearances (status hearings), participate in required treatment, trainings, needed ancillary services, and urine testing. Judicial release is the mechanism to transfer offenders into the Re-Entry court program

To be considered offenders should:

- ◆ Be eligible for judicial release as defined by O.R.C. 2929-20 v.
- ◆ Be sentenced in Cuyahoga County Common Pleas Court with a felony conviction
- ◆ Reside in Cuyahoga County upon release from prison
- ◆ Have no more than two prior state or federal prison commitments
- ◆ Have no pending felony charges
- ◆ Are not currently incarcerated for a weapons related offense
- ◆ Have no outstanding warrants other than minor traffic offenses
- ◆ Have no sex offense convictions
- ◆ Are not currently serving time on more than two concurrent cases from Cuyahoga County

Eligible offenders can be identified at sentencing (evaluated for eligibility prior to sentencing) or upon entry into a correctional facility in the surrounding area. When identification and review is made in advance of release, which is the preferred method, program staff can engage in prerelease planning while the offender is still incarcerated.

Judicial release is the mechanism to transfer offenders into the Re-Entry Court program. A public defender or private attorney will prepare a request for judicial release. The original sentencing judge will hold a judicial release hearing or should the sentencing judge consider Re-Entry Court, the sentencing judge may transfer the case/jurisdiction to the Re-entry Court Judge to hold both the judicial release hearing and admission to RE-Entry Court the Re-Entry Court. The sentencing judge forwards the case to the Administrative Judge for assignment to the Re-Entry Court docket. The Re-entry Court judge assumes all jurisdiction of the case.

Offenders complete an application which is made available to the offenders in prison or to attorneys on the court website. Once an application is received, it is reviewed in a two-phase process. The first phase consists of preliminary screening to determine if the applicant meets minimum eligibility criteria. All

applications meeting minimum criteria are sent to the Re-Entry Court Judge with case information. The Re-Entry Court Judge reviews the case information and makes a decision if the case will go forward for Phase Two review. If the case is considered for further review, additional information is gathered: Pre-Sentence Investigation (PSI), record check, and an institutional summary. When a decision is made whether or not to accept an applicant into Re-Entry Court, the sentencing judge is notified. When the defendant has been accepted into Re-Entry Court, a journal entry will indicate that an offender has been reviewed for the Re-Entry Court. The sentencing judge may rule on any of the following:

- ◆ Grant judicial release
- ◆ Deny judicial release
- ◆ Grant judicial release and Re-Entry Court (a decision is also made if the case jurisdiction is to remain with the sentencing judge or transfer to the Re-Entry judge)
- ◆ Grant judicial release and deny Re-Entry Court

A Re-Entry Case Plan is prepared on all offenders admitted to Re-Entry Court. The plan address criminogenic needs, including dynamic risk factors in the following domains:

- Employment,
- Marital/family
- Associates/social interaction
- Substance abuse
- Community functioning
- Personal emotional orientation
- Attitude

The Re-Entry Court participants are under the supervision of the Intensive Supervision Program (ISP) in the Adult Probation Department. In preparation for release, the Re-Entry Program ISP Supervision Officer will assist with securing stable housing. Once the offender is released, supervision will include face-to-face visits, collateral contacts and home visits. The Re-Entry Court participant will be required to abide by the rules of probation as well as the individualized Re-Entry Court Plan. The Re-Entry Court Team does convene regularly to discuss the status of each participant. Team review provides input for status hearings held regularly to address meeting Re-Entry plan goals and review successful participation and compliance. Status hearings are held according to a graduated program schedule requiring fewer hearings as progress is made through the program. Non-compliance or failure to make progress in attaining program goals can result in a violation hearing.

Criteria for successful program completion:

- Complete a minimum of one year in the program
- Complete Re-Entry plan goals
- Remain drug-free and crime-free for the last 90 days or more before graduation
- Maintain verifiable, stable residence for a minimum of 90 days prior to completion of program
- Maintain gainful employment or provide verification for legal source of income 90 days prior to completion

Criteria for unsuccessful program completion:

- Failure to complete the Re-Entry plan
- Continued drug use
- Conviction for new felony offense
- Absconson

The Cuyahoga County Adult Re-Entry Court specifically addresses the core elements in the Office of Justice Program's model as follows:

Assessment and Planning – The Re-Entry Program Probation Officer will provides tracking, coordinates prison screening, identifies eligible inmates, conducts prison site visit and/or video conferencing for early

screening and assessment, prepares a Re-Entry plan for each offender identifying needed services (e.g., employment, housing, treatment, mental health, vocational training, family counseling).

Active oversight - A dedicated Re-Entry Court Judge conducts regular status hearings and team meetings. The judge requires participants to submit to urinalysis testing on a frequent or random basis, no less than one time per week, throughout program participation. Participants meet frequently with the Probation Officer to develop and carry out goal-oriented treatment plans tailored for individual care. The ISP Supervision Officer refers individuals to an array of supportive services (e.g., substance abuse and mental health treatment, employment, housing, job training, family counseling, education health care). A strong field component is in place for community surveillance and monitoring to increase public safety.

Accountability to community - The Program provides accountability to the community through the Re-Entry Court Advisory Board, collection of restitution, child support, and development of initiatives to ensure offenders are held accountable both to victims and the community. The collaboration includes the Cuyahoga County Common Pleas Court, Board of County Commissioners, County Prosecutor, Public Defender, Alcohol and Drug Addiction Services Board of Cuyahoga County, Cuyahoga County Community Mental Health Board, Cuyahoga County Office of Re-Entry, Ohio Department of Rehabilitation and Correction (ODRC), Ohio Adult Parole Authority (Cleveland Region) (APA), City of Cleveland, Office of Health and Human Services and local service providers.

Graduated and parsimonious sanctions – The Re-Entry Court judge uses a range of sanctions for violations on conditions of release, which are swift, predictable, and universally applied. Sanctions are issued by the judge according to a progressive schedule matched to the level of non-compliance.

Rewards for Success - The Re-Entry Court Judge will use positive judicial re-enforcement to reward successful behavior.

For additional information, please contact Re-Entry Court Probation Officer: Michael Long at 443-5459