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STRATEGIES  
FOR THE  
PRIVATE SECTOR

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**Criminal Justice  
in  
Greater Cleveland:  
Strategies for the  
Private Sector**

Report of  
The Special Committee  
Of Citizens Concerned  
About Criminal Justice  
In Cleveland  
To The Cleveland Foundation

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# Foreword

In reappraising its long interest in the criminal justice system, The Cleveland Foundation in May, 1975 invited this Committee of Citizens Concerned about Criminal Justice to take a fresh look at the recurring problems and deficiencies and to suggest ways in which the Foundation and others might help to improve the system.

This report—CRIMINAL JUSTICE IN GREATER CLEVELAND: STRATEGIES FOR THE PRIVATE SECTOR—embodies the initial priority concerns and recommendations of our Committee.

The gathering of facts, the discussion of issues and the hammering out of recommendations has been an enriching experience. We are deeply grateful to all who have been involved in the process over the last several months.

Every member of our Committee joins me in expressing warm gratitude to Professor Krantz, to the assigned attorneys and the law firms which contributed their time, to the student researchers and to the other consultants and staff members for the hard work, idealism and skill that infused this undertaking. We also deeply appreciate the open and conscientious way both citizens and governmental officials gave of their time and thoughts in interviews.

And, almost needless to say, I am thankful for the contribution of my colleagues.

We are convinced that the recommendations in this report merit support by the Foundation and other private and public support in order to improve the administration of criminal justice in Greater Cleveland.

Recognizing that this is just a beginning, the Special Committee will continue to meet from time to time to explore other issues in the criminal justice system, and may make further recommendations.

Robert McCreary  
Chairman  
March 15, 1976

# The Special Committee of Citizens Concerned about Criminal Justice in Cleveland

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*\*Resigned August 28, 1975*

# Background Reports

The individual reports prepared by the five staff lawyers as background for this report have been published separately as:

*Corrections*

by Charles L. Freed

*The Provision of Indigent Defense Services  
in Greater Cleveland*

by Brent L. Henry

*Private Sector Assistance to the  
Cleveland Police Department*

by John D. Maddox and  
Mark H. Furstenberg

*The Cuyahoga County Juvenile  
Justice System*

by Thomas F. Allen

*Federal Funding for Law Enforcement and  
Criminal Justice in Cleveland and Cuyahoga County*  
by Robert F. Doolittle

Copies of any of these reports or additional copies of the report of the Special Committee of Citizens Concerned about Criminal Justice in Greater Cleveland may be obtained by writing:

Project Awareness  
Criminal Justice  
Public Information Center  
3510 Chester Avenue  
Cleveland, Ohio 44114

Citizens Alliance for  
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Rockefeller Building  
614 West Superior Avenue  
Cleveland, Ohio 44113

# Introduction and Summary

There is a deep concern about criminal justice in America. This concern is shared certainly by the residents of Greater Cleveland. This is due, at least in part, to a sense of hopelessness about solving most of the major failures of the criminal justice system. Daily, we are barraged by stories about increasing crime and delinquency, about clogged courts, and about the shocking failures of our prison system. Rarely is anything reported which indicates that conditions are improving. Whether the problems are beyond our capacity to solve or whether we simply have not used the necessary energy, resources and skills to confront them is a critical question citizens of Cleveland must now face.

In May, 1975, a Special Committee of Citizens Concerned about Criminal Justice was appointed by The Cleveland Foundation to help identify some of the major problems and needs in the metropolitan area and to suggest ways in which the Foundation and others in the private sector might respond to them. The purpose of the project was not simply to do another study attacking the way things are. Instead, its purpose was to shape and propose strategies for involving the private sector more creatively in improving the criminal justice system.

This report summarizes the major findings and recommendations which emerged from the study that extended over the summer and fall of 1975.

In the process the 13-member committee was assisted by outside consultants, staff lawyers and student researchers. Five major law firms each provided, without charge, the services of an experienced attorney for the equivalent of two full months. Six law school and pre-law students participating in university work-study programs served as research assistants.

The overall project was directed by Sheldon Krantz, professor of law and director of the Center for Criminal Justice at Boston University School of Law. Mark Furstenberg of Boston, a recognized expert on police issues, was a consultant in law enforcement, and John J. Sweeney, former director of the Administration of Justice Committee in Cleveland, served as consultant to the committee.

The criminal justice system in Cuyahoga County is a complex system spending an estimated \$125 million a year. The Special Committee initially involved itself in selecting a limited number of areas in which priority concern would be focused. The goal was to identify those areas where the prospects were likely that limited private dollars could help bring about improvements, especially in the fairness, efficiency and effectiveness of the criminal justice system.

After careful consideration and discussion with many knowledgeable people in Greater Cleveland, the committee agreed that the following five areas should be explored:

- The adult correctional system
- The public defender system for indigent defendants
- The Cleveland Police Department
- The juvenile justice system
- The allocation of federal funds for criminal justice

Once these areas were selected, staff work was extensive, comprehensive and impressive. Interviews were conducted with more than 120 local criminal justice officials and concerned citizens. Available relevant statistics were gathered and analyzed. Research was done on a variety of topics, including proposed national standards, innovative programs, and important case law and statutes.

By the fall, the staff had prepared five reports covering the five areas listed above. The Special Committee then reviewed the reports and, after some modification, endorsed them.

The following summary findings and recommendations of the Special Committee of Citizens Concerned about Criminal Justice are based primarily upon those five reports.

The committee would like to call attention to the fact that several common threads run throughout the findings: the need for more uniform standards for handling criminal justice matters; the need for technical assistance, training and career development; the need for increased data, innovative experiments and evaluation of programs; and the need for greater citizen involvement in all facets of the criminal justice system.

The committee is convinced that the summary findings—along with the five reports being published separately—sharply and properly define some important strategies for The Cleveland Foundation and others in the private sector for improving the criminal justice system in Greater Cleveland.

# Adult Correctional System

*The adult correctional system includes both institutions (prisons, jails) and community-based services (probation, parole) operated on the federal, state and local levels. Our main concern here is with the major local adult facilities. Their problems are many. Some can be corrected within the walls; some cannot. Some will be alleviated with the opening of the Justice Center; some will not.*

There are two primary facilities in Cuyahoga County for the incarceration of individuals—the Cuyahoga County Jail and the Cleveland House of Corrections (Warrensville Workhouse). In addition, there are dozens of police lock-ups throughout the county which hold arrested persons until their appearance before a magistrate.

The County Jail was designed for a maximum of 375 inmates. But the population has risen above 700 at times in recent years. The federal courts have ordered that the population be substantially reduced and the county is now transferring low-risk inmates—persons being held for such non-violent crimes as fraud and auto theft—to space it has leased for the next 10 years at the Warrensville Workhouse site.

The Warrensville Workhouse is a city-owned facility designed to hold persons convicted of misdemeanors. But it also confines persons accused of felonies who have pleaded guilty to lesser charges. The city is constructing a new 100-inmate building with funds obtained from the county lease. The main compound of the Workhouse, which contains vocational shops, has been closed for several years for health and safety reasons.

The new Justice Center, scheduled to open in the fall of 1976, will contain a new County Jail with space for 870 inmates. Almost all will be confined in individual cells. This should greatly reduce assaults now occurring in the 4-man cells and

dormitories of the present facility. While the design of the new Justice Center is forward looking, staffing patterns and operational philosophy have yet to be determined.

It should be noted that the jail is operated by the Sheriff of Cuyahoga County under rules established by the Court of Common Pleas.

## **Overcrowded jails and Bail Reform**

The jail population is the most crucial problem of corrections in Cuyahoga County. From this stems a myriad of sub-problems, such as staffing needs and security, and their impact on inmates rights, the development of educational and vocational programs for inmates, and the general psychological malaise in which an inmate finds himself while in jail.

No plan for controlling the jail population now exists except to create more space in a satellite facility and ultimately more space at the Justice Center. It is frightening to note, however, that there is general agreement that within a short period of time, these new facilities could be bulging with inmates. The solution to the jail population cannot be found in building larger jails. The solution must be based on reexamining who is going to jail and why.

From 80 to 90 percent of the inmates in the Cuyahoga County Jail are defendants awaiting trial. Almost all are there simply because they cannot afford bail. This "pay for freedom" approach exacts a heavy toll in the criminal justice system, both to the accused and to society.

The approach obviously discriminates against the poor person and puts him at a disadvantage. A person who is free pending trial has an opportunity to maintain his ties with home and community, to continue his employment which enhances his self respect and preserves financial support for the family, and even to search for witnesses for his defense and consult with his attorneys. If the person instead spends weeks or months in jail, he is subjected to indignities, idleness and possibly criminal influences. And his chances for a favorable outcome are diminished. A study by the Vera Institute of New York showed that pre-trial detention results in a much higher rate of convictions and in far more punitive sentences.

The process also places a heavy burden on the taxpayer. It costs \$13 a day to house, feed and guard a prisoner in the

County Jail. Assuming conservatively that 350 defendants a day are in jail awaiting trial, the cost to Cuyahoga County exceeds \$1.6 million a year.

Furthermore, the process may well violate the constitutional rights of the defendant in a society which assumes that an accused person is innocent until proved guilty, and is entitled to equal treatment under the law. In fact, the only constitutional purpose for bail in the United States is to assure that the accused person appears in court. It is not to be used for preventive detention.

Yet studies nationwide indicate that the traditional bail system fails even in its constitutional purpose and that there are more effective alternatives. This view is recognized, in essence, by rules for criminal procedures established for Ohio and for Cuyahoga County. These rules recommend surety bail bonds only as a last resort. Instead the preferred methods recommended for pre-trial release are personal recognizance and unsecured appearance bonds.

The rules are not being followed extensively, however. A study of 9,000 felony cases in Cuyahoga County since 1973 shows that surety bond fees were set for 65 out of every 100 defendants. Only 16 out of every 100 were released on their own recognizance.

Since the vast majority of inmates at the County Jail are there because they cannot make bail, it is apparent that the only long-lasting method for maintaining the jail population is to control through bail reform the influx of defendants awaiting trial.

*The Committee recommends:*

**Support for expansion of  
carefully considered bail  
reform efforts.**

## **County Jail Personnel**

An American Bar Association document states:

"The role of the correctional line officer is much larger than providing custody. He can, on an individual basis, directly

affect the lives of the residents he supervises. Some researchers believe the line officer is the most influential correctional employee in a resident's life and is in a critical position to assist with the positive changes expected in that life in the future."

There is general agreement among those involved with the Cuyahoga County Jail that the corrections staff needs a higher degree of professionalism. Jail personnel receive the 280-hour course for Ohio Peace Officers. This is a police training course and is not designed to train individuals for the problems they will face in a jail situation. Some modest attempts have been made at both pre-service and in-service training in human relations, psychology and sociology; but this training is being done internally, and this tends to perpetuate existing attitudes.

One of the most serious problems is that, until recently, employees were not hired specifically for the jail but for the sheriff's police force and would spend time working on the jail staff before advancing to a position outside the jail. Although the sheriff is now hiring specifically for the jail and is seeking persons with some college education, there is no career program for corrections officers which would enhance the professionalization of the staff.

*The Committee recommends:*

**Assistance in establishing a career program for correctional officers and creating an adequate training program for new and existing staff.**

### **Social Service Programs**

The Greater Cleveland area has very few social services for persons who have been arrested, sentenced or paroled. There is a program to divert minor misdemeanors from the criminal justice system and a detoxification center where alcoholic offenders may be taken instead of to jail. There is a pre-trial supervised release program and a project designed to al-

leviate the trauma of those awaiting trial at the county jail. Most are operated by private agencies.

A county program to detect, screen and treat psychiatric problems is just now getting underway as a result of a court order.

Neither the County Jail nor the Workhouse provides a satisfactory educational or vocational program for inmates serving sentences. The Warrensville Workhouse does release a few prisoners to work in the community during the day and a work-release program is contemplated for the new County Jail.

There are several halfway houses to help reintegrate former prisoners into society.

*The Committee recommends:*

**Support for expansion of the social service program at the Cuyahoga County Jail and its satellite facilities.**

**Work with the business community to create an effective work release program and to alter attitudes toward employing former offenders.**

## **Inmate and Staff Rights and Responsibilities**

The subject of the rights and responsibilities of inmates and the correctional staff has been one of increasing importance in the past few years. Various federal courts have reached differing conclusions concerning the extent of these rights and responsibilities based upon minimum constitutional standards. There has been considerable difficulty in measuring these rights against the security needs of the jail.

The problem at the Cuyahoga County Jail has the added dimension that most of the inmates are defendants still cloaked with the presumption of innocence. They may wish to make telephone calls, receive unopened mail and consult frequently with attorneys and others concerning their defense. These

needs have often gone unmet because of security dangers created by the design and overcrowding of the facility.

The Court of Common Pleas is presently revising its rules and there is great potential for change since the move to the new Justice Center will alleviate many security problems. The new rules should spell out not only the rights and responsibilities of inmates and staff but should define grievance procedures and list the full range of possible inmate offenses and punishment alternatives.

*The Committee recommends:*

**Technical assistance be given to the sheriff and Court of Common Pleas to formulate a manual on the rights and responsibilities of the sheriff's personnel and jail inmates.**

## **Operating the New Jail**

Although the new County Jail at the Justice Center offers a progressive design and room for various vocational, educational and recreational activities, there is no plan for use of the facility. The sheriff and the county commissioners agree that a comprehensive operations manual should be developed.

The manual should fulfill two major purposes: 1) outline an orderly and efficient daily operation; and, 2) indicate the various vocational, educational, recreational and social programs that would be initiated and the minimum standards for each.

The most crucial problem in the daily operation will be staff. The existing county jail is woefully undermanned, and there is general agreement that the new jail should have at least double the present staff. The manpower shortage can best be overcome by efficient use of staff. The daily operations also will include such matters as moving prisoners to and from programs, details surrounding meals and provision for medical and dental services.

In developing the social service programs for the jail, the manual should concentrate on short-term programs suitable

for persons awaiting trial. This might include counseling to relieve the trauma of incarceration, mental and physical screening, opportunities for communication within and outside the jail, use of the library and remedial education programs.

*The Committee recommends:*

**Technical assistance to Cuyahoga County to formulate an operations manual for the new jail in the Justice Center.**

## Public Defender System

*The U.S. Constitution says that in "all criminal prosecutions, the accused shall . . . have the assistance of counsel for his defense." What happens in Greater Cleveland when the accused cannot afford a lawyer's fee? All too often, poverty denies such a person adequate representation. This section deals with what Greater Cleveland is now doing—and the potential for fulfilling the constitutional rights of defendants through implementation of a new state law.*

The Sixth Amendment to the Constitution guarantees every person charged with a criminal offense the right to be represented by an attorney.

Attempts by the Supreme Court and various federal courts to refine this right have placed an ever-increasing burden upon state and local jurisdictions to provide free counsel to persons unable to afford a lawyer.

In 1963 the Supreme Court interpreted the right to include counsel at all critical stages of the judicial proceedings for those accused of felonies. Nearly a decade later the Court held that unless a defendant has waived his right to attorney he may not be imprisoned for any offense, whether classified as petty, misdemeanor or felony, unless he was represented by counsel at his trial. Some courts also have determined that any court-appointed representative must meet certain minimum standards in order to insure "effective assistance of counsel."

While the state of Ohio calls for counsel for all adults and juveniles charged with serious crimes—those involving sentences of six months or more—it has left many charged with lesser offenses without legal aid. Furthermore, there is general agreement that the method of selecting and reimbursing counsel in Cuyahoga County has led to abuses and to ineffective representation.

In September, 1975, the Ohio Legislature approved a new law aimed at creating a state public defender system for per-

sons charged with serious crimes. The legislation provides for the establishment of standards for determining indigency and for assessing quality of legal representation. The state will reimburse each county up to 50 percent of the cost of operating a county defender program, but it leaves it to each county to determine how that program will be run.

The legislation holds much promise for improving fairness and efficiency, but it will do so only if steps are taken to correct the existing abuses and to avoid repeating mistakes that have been made in other parts of the nation.

### **Indigent Defense in Cuyahoga County**

Greater Cleveland is one of the few major urban areas in the country without a formal program for providing counsel for its indigent defendants. A recent national survey determined that more than 90 percent of the metropolitan counties with populations exceeding half a million persons had organized publicly-supported defender systems with full-time salaried attorneys. Cuyahoga County remains among the small minority which continue to rely heavily upon the random appointment of lawyers engaged in private practice.

This has proved costly to the taxpayer while a hazard to many of the accused. During the past year the courts of Cuyahoga County spent well over one million dollars in compensation for court-appointed counsel. Yet it has been estimated that these attorneys served less than half of all criminal defendants who lacked the money for an adequate defense. It is likely that more than 10,000 additional defendants were eligible for free legal aid than actually received it.

While the need for counsel often begins at police headquarters and continues through appeal, probation and parole hearings, the bulk of indigent representation in Cuyahoga County occurs in the Common Pleas and Municipal Courts.

The Municipal Courts are the courts of original jurisdiction for the trial of all cases involving municipal ordinance violations and statutory misdemeanor offenses as well as for preliminary hearings in felony cases. When a defendant first appears in Municipal Court the judge is expected to inform him of the nature of the charges against him, his right to remain silent, and the requisites for demanding a jury trial. If

the defendant is determined to be in financial need, an attorney must be appointed at this time.

## **Municipal Courts**

The Municipal Courts have lacked legislative authority to reimburse appointed counsel for the handling of non-felony cases and, consequently, many poor people appearing before suburban courts are represented by volunteer lawyers. Cleveland and one suburb, East Cleveland, use staff attorneys provided by the Cleveland Legal Aid Society. This CLAS program is largely funded by the federal government but funds are being stepped down.

Unfortunately, many Municipal Court judges attempt to keep their case volume down by accepting guilty pleas prior to informing defendants of their right to counsel or by encouraging defendants to waive that right. The size of the criminal docket is so tremendous in Cleveland Municipal Court that some indigents are never informed of their right to counsel.

Inadequate record keeping has prevented an accurate determination of the magnitude of the problem. But it is large. Last year more than 10,000 cases before the Cleveland Municipal Court were assigned to Legal Aid lawyers while about 1,300 suburban cases a year go to assigned counsel. Yet some say the number of persons actually eligible is two to three times this number.

## **Common Pleas Court**

The Court of Common Pleas handles all felony cases. The judge may assign counsel at the arraignment, the defendant's first appearance in this court. There is no guarantee, however, that the counsel will be the same person who represented the defendant at the preliminary hearing in Municipal Court. In fact this is unlikely. Of the 2,500 indigent assignments made by the Common Pleas Court in 1974, only one-fifth were handled by Legal Aid lawyers. The remainder were distributed among private lawyers in a random manner.

Unlike the Municipal Court, the Common Pleas Court of Ohio possesses the authority to reimburse assigned attorneys. But the fee schedule encourages abuses. Lawyers can exploit

the system by collecting the maximum fee of \$150 for guilty pleas in cases on which they have spent very little time. On the other hand, a lawyer can lose money taking a case to trial, for the maximum fee is only \$300 in all cases except those involving homicide. Often when a defendant refuses to plead guilty, the private attorney will ask to withdraw from the case.

The practice of assigning private counsel in homicide cases, however, seems to be working well. Most judges make an honest effort to appoint competent counsel in these cases, often appointing a team of two lawyers, one of whom has considerable experience. Fees in such cases can run up to \$5,000.

Observers of the criminal justice system nationally have noted the ineffectiveness of non-organized, privately-assigned counsel arrangements and discussed the need for a great commitment to a planned program of criminal defense for the indigent. Recent national and local studies have suggested guidelines and procedures as well as precise standards and goals needed to insure effective delivery of these services.

### **The New Law and Citizen Input**

The new Ohio Public Defender Act offers a timely opportunity for Cuyahoga County to correct abuses which now exist and to create an equitable system of defense for the future. Improvements will not come automatically, however. The act leaves the county options in running the program—from continuing the haphazard assignment of private counsel, to creating a formalized system of appointing private counsel, or to creating an adequately staffed public defender office.

The most promising prospect for Greater Cleveland appears to be a mixed approach. There should be a full-time defender staff. But it is inevitable that the staff will never be large enough to handle the volume of cases in the metropolitan area. Therefore, there should also be a pool of private lawyers, including those experienced in both criminal law and civil litigation, and new lawyers who will gain experience by serving as co-counsel or as counsel in cases which carry mild sentences.

A comprehensive defender system should include, when

necessary, representation from the time of arrest through court hearings, trial, appeal, probation and parole hearings.

Before a comprehensive defender system can be designed, there is great need to gather basic information not readily available. Much data can be obtained only from a search of individual case files. The information should help clarify the size of the indigent defense population to be served, the criteria for determining indigency and the procedures to insure effective representation.

Basic data should be of great value to the Cuyahoga County Public Defender Commission which is to be appointed by the county under the new state legislation.

*The Committee recommends:*

**Assistance in creating an Advisory Committee to the County Commissioners or Cuyahoga County Public Defender Commission to help design a comprehensive program for the County. The committee should have a small staff to help it collect and analyze data.**

## **Standards for Indigency and Counsel**

The lack of uniform methods and standards for determining indigency makes it extremely difficult to estimate the number of indigents that a public defender system should plan to serve.

Most Common Pleas judges will accept the word of the defendant—under oath—that he cannot afford an attorney, ask a few perfunctory questions about the defendant's employment and availability of cash, and declare him indigent. Some Municipal Court judges make similar determinations while others turn the responsibility over to an attorney.

The new public defender legislation charges the State Public Defender Commission with the obligation of creating uniform indigency standards to be used by Ohio courts in de-

termining whether an accused is eligible for representation. It is hoped that the State Public Defender Commission will look to local commissions for input. These standards should be based upon a determination of whether defendants are able to retain private counsel without substantial hardship. Defendants who can afford some but not all the cost of their defense should be permitted to contribute partially to the cost. Individual indigency determinations should be made by a separate staff member in the defender's office who is able to be present at all stages where counsel can be appointed. The staff person should be the accused person's first contact for obtaining appointed counsel.

In order to insure the provision of higher quality appointed defense counsel, the courts should limit their assigned counsel appointments to a pool of private attorneys who have been selected by a panel of judges and local bar association representatives. In addition, the local bar associations and courts should consider the adoption of effectiveness standards for defense attorneys and the creation of a procedure for administrative or judicial review of those cases involving lawyers charged with rendering ineffective assistance of counsel.

Continued reliance upon random appointments of volunteer attorneys to represent indigent defendants will result in an uneven administration of justice in many suburban municipal courts. The Ohio Public Defender Act gives municipalities the option to contract with the county for the services of its public defender program. An essential ingredient for the success of a comprehensive approach to solving the problem of providing counsel to indigent defendants throughout Cuyahoga County is the support and involvement of the suburban municipal courts.

*The Committee recommends:*

**Technical assistance for the establishment of standards for effective assistance of counsel and for indigency. Suburban municipal courts should also be encouraged to participate fully in a countywide public defender system.**

# Cleveland Police Department

*The Cleveland Police Department is the agency primarily responsible for law enforcement in the City of Cleveland. Its most important and visible function is to fight crime. But it also delivers a multitude of other services—from the control of traffic to intervention in domestic quarrels to coping with people who are either mentally ill, chronic alcoholics or drug addicts.*

*Police officers here, as in the rest of the country, have great discretion in making on-the-spot decisions involving justice or injustice to individuals. The important, complex and discretionary nature of police work demands the attention and concern of all people who live, work or pay taxes in Cleveland. The department also merits attention because of its impact upon the effectiveness and fiscal efficiency of city government as a whole.*

The Cleveland Police Department is the largest agency in the criminal justice system of Cuyahoga County. It employs more than 2,000 officers and civilians. In 1975 its budget was more than \$45 million, equal to nearly half of the city's general operating revenues. This year about 42 percent of the police budget is being paid for with federal funds—from revenue sharing and other special programs. In fact, the Cleveland Police Department is unusual among major urban departments in its heavy dependence upon federal funds.

Since 1967 the Cleveland Police Department has been under great pressure to make changes to improve its service to the community. Such pressure has not been unique to Cleveland, as this period has been a tumultuous one for most urban police departments.

The department has responded with new faces, new buildings and new equipment but the police force continues to operate much as it did in a less complex society. Criticism of the Police Department continues to surface regularly.

The thrust of this report is not to examine the validity of these criticisms. It is to look at the factors which have inhibited change and to recommend ways in which the private sector can assist the Cleveland Police Department achieve internal goals the department believes will make for more efficient and responsible service to the community.

## **Deterrents to Change**

Certain outside factors and influences impose limitations upon the department's ability to resolve internal problems.

One has been the lack of continuity in police leadership. Since 1967, when police reform first became a major issue in a mayoral campaign, there have been six safety directors or acting directors and seven chiefs of police. The two city officials who share responsibility for city law enforcement are appointed by the mayor. The frequent leadership changes may have resulted in shifting priorities and changing methods in attacking problems.

A second factor has been the heavy reliance upon federal funds which has limited the department's ability to select its own priorities and allocate its personnel more effectively.

A third is the overall need for more money. The Cleveland police officers automatically receive the highest salaries of officers in any large city in the state yet in every other respect the department is starved financially. This is revealed in the lack of ongoing in-service training for officers, the deterioration of police cars, and the lack of clerical and secretarial help which result in both officers and administrators performing clerical functions.

The gap between actual personnel strength and authorized personnel strength continues each year in a city faced with rising crime, an annual decrease in direct local dollar support for the police and the threat of termination of various federal funding programs.

Some problems can be solved only by large infusions of money. This is beyond the role of the private sector. However, the private sector can provide assistance aimed at improving the quality of services through organizational change, personnel improvement and technical assistance. For any such assistance to have a chance for success it should be developed in collaboration with officers of the Police Department.

The Cleveland Police Department could use technical assistance and research to assist it with a number of its problems. The suggestions for help from the private sector which follow are intended to be illustrative rather than all-inclusive. Assistance could be provided in many more areas.

## **Police Manual**

The Cleveland Police Manual, written in 1950, is out of date in light of new national standards and attitudes. It was written in an age when police manuals concentrated on conduct, deportment and manners, such as how an officer should wear his uniform. The major thrust of such manuals has shifted to more sensitive matters, such as when and how to use deadly force, make arrests, conduct searches and seizures and provide a wide variety of human services not directly connected with crime.

There are many advantages in having such a manual. It creates departmental uniformity, provides guidance to officers in complex situations, instills public confidence and protects conforming officers from civil liability.

The Cleveland Police Department currently is redrafting some of its existing procedures and regulations and sees a need to include the more sensitive problems described above. Nationwide, new police policy is being formulated in a variety of ways: in some police departments, solely by high-level police and government officers; in other departments, by committees including representatives of all ranks within the department; and in other departments, by joint police-citizen committees.

Whatever mechanism is used for Cleveland, the private sector could provide experienced consultants to assist the Police Department to reach a consensus and draft the new manual. The challenge is not so much in putting together a manual but in how to make it understood, appreciated and a part of the work of the department.

*The Committee recommends:*

**Technical assistance to the Cleveland Police Department to help it formulate a new police manual.**

## **Training Programs**

While little training is now going on within the Cleveland Police Department, one activity underway could be of major importance to the department. The city has engaged a California-based consulting firm to develop an in-service training program for the department. The importance of in-service training has been recognized by national authorities and by the officers themselves, but there is some concern within the police force about the limited participation in the study by members of the department. This might be eased if consultants were provided to help the Police Department review and evaluate the recommendations of this consultant firm.

The Police Department also has been unable to devote its resources to developing the managerial or leadership skills of those being promoted to administrative, supervisory or managerial positions. Only a relatively small number of rising officers have been sent to the F.B.I. Academy or the Southern Police Institute. Management training could be provided by taking advantage of existing schools or seminars, developing a program within the department itself, or by assigning selected officers to tours of duty with other urban police departments.

*The Committee recommends:*

**Assistance in expanding the in-service, managerial and leadership training programs of the Cleveland Police Department.**

## **Vehicle Procurement and Maintenance**

One of the most important problems facing the department is the maintenance of its fleet of police cars and other vehicles at a level sufficient to deliver adequate service. There is uniform criticism of the condition of the fleet, with the number of inoperable cars greatly exceeding the 5 percent regarded as normal for a well-managed, large city police fleet.

The fleet is maintained by the city garage or by private contractors engaged by the city. The recent purchase of new vehicles may temporarily alleviate this problem but will not

resolve the question as to whether the maintenance problem is being approached in the most cost-effective manner.

In addition to the maintenance problem, there is a need for officers to be trained in the use of the high-performance vehicles and to assume greater responsibility for their condition.

*The Committee recommends:*

**Technical assistance to improve vehicle procurement and maintenance, and to provide better training for police officers in the use of high-performance vehicles.**

### **Other Projects**

A number of other potentially beneficial projects for the Police Department might include developing a crime analysis unit, surveying victims and other consumers, and counseling and treating police officers who suffer emotional stress from their jobs.

The Committee stands ready to consider technical assistance to the Police Department to study or undertake services in these or other problem areas.

# Juvenile Justice System

*Youth crime in Greater Cleveland is growing in volume and severity. Crimes involving violence and the potential for violence have increased dramatically. Reasonable people differ on how the juvenile justice system should deal with delinquency. Some want more emphasis on treatment. Some want more emphasis on punishment. Most want change.*

The juvenile justice system in Cuyahoga County is a loosely coordinated mix of public and private agencies whose efforts are aimed at preventing juvenile delinquency and rehabilitating youth.

The public sector consists of the police, the Juvenile Court and various correctional institutions designed specifically for youth. There also are some 250 private youth-serving agencies which provide a wide variety of social services to young people in trouble through both official and unofficial channels.

They all have experienced frustration and disappointment in the rising criminality among youth. Much delinquency stems from societal forces largely outside their influence—poverty and discrimination, defective families, inadequate schools and a changing job market. The juvenile justice system, consequently, is coping with results and symptoms.

This section confines its scope to describing the system as it now operates, to identifying problems and gaps in services, and to suggesting a few ways to help make the system more efficient, equitable and effective in its aspiration to redirect youth into more acceptable patterns of behavior.

## **The Cuyahoga County Juvenile Court**

The Juvenile Court plays the pivotal role in the juvenile justice system of Cuyahoga County. This division of the Court of Common Pleas had a 1974 budget of \$5.8 million—including \$5,337,600 in county funds and the rest in federal funds. Among

the Court's more than 300 full-time and 90 part-time personnel are four judges, eight referees, 11 part-time psychologists and psychiatrists and 93 probation officers.

In addition to its downtown courtrooms, it operates three branch courts, several neighborhood probation centers and a detention home.

The Court has exclusive original jurisdiction over any person under the age of 18 held on a complaint charging him with being either delinquent or unruly.

The delinquent child is one who commits an offense which would be a crime if committed by an adult, such as robbery or assault with a deadly weapon, or who disobeys an order of the court, such as violation of probation. An unruly child (sometimes called a status offender) is one who engages in an act which deviates from accepted behavior for young people, such as ungovernability, truancy, running away from home, or marrying without consent of parents.

In Cuyahoga County, as in the rest of the nation, there has been a rise in both the incidence and severity of offenses committed by youth. The number of complaints filed with the Juvenile Court of Cuyahoga County is at an all-time high, and is rising. The nature of juvenile offenses also has changed. Those involving violence or the potential for violence have increased significantly.

During the first five years of the 1970's, the delinquency complaints accepted by the Juvenile Court increased 31 percent—up from 7,042 in 1969 to 9,140 in 1974.

The number of homicide complaints, however, rose 65 percent from a total of 17 to 28. Those involving possession of weapons nearly doubled, from 108 to 212. Those involving theft from persons rose 47 percent from 368 to 540.

During this same period the number of unruly complaints accepted by the Juvenile Court actually declined slightly, down from 2,636 to 2,425. This may, in part, reflect the Court's willingness to refer unruly cases to other programs.

While the crime rate remains highest in the city of Cleveland, the incidence is shifting to the suburbs. Complaints involving suburban youth increased 70 percent in the last five years, and today suburban police file as many complaints as the Cleveland police. There also has been an increase in both the delinquency and unruly complaints involving girls.

Yet the number of complaints represents only the tip of the iceberg. The overwhelming majority of offenses either go unnoticed, unreported or are diverted elsewhere. One national study of several American cities showed that the police usually divert nine out of every ten questionable acts, especially minor ones, away from the juvenile court.

Once the Cuyahoga County Juvenile Court accepts a case, the intake department decides whether each case should be heard as an "unofficial" case by a referee or as an "official" case by either a referee or a judge. An unofficial case usually involves first offenders, very young children or persons accused of very minor offenses. It is usually concluded with the youth receiving a verbal warning. Only a limited record is kept, and a violation of probation is not, by court custom, used as the basis for returning the juvenile to the Court.

Official cases involve more formal procedures, more complete records and when the youth is determined to have committed the offense he may be subject to a wide range of dispositions—from warning through probation or institutionalization. In extreme cases the youth may be turned over to the adult court for trial.

The principal method for disposing of guilty cases is probation. Of the 11,615 delinquent and unruly complaints officially accepted by the Juvenile Court in 1974, a total of 5,105 resulted in the youths being adjudicated as either delinquent or unruly. Of this number, 2,802 or 55 percent were placed on probation.

The remainder included 227 youths who were placed in private residential facilities and 860 who were committed to public correctional agencies. Of the latter, 201 went to the Youth Development Center, a coeducational facility operated by Cuyahoga County in Hudson. The average age of YDC detainees is 14½ years, and the average length of stay for boys is 7½ months.

The remaining 659 were committed to the Ohio Youth Commission which operates a number of institutions varying from minimum to maximum security correctional institutions. The OYC also may place juveniles in group homes and foster homes. Until recent repeal of a state law, any juvenile committed to the OYC had to be confined at least five months unless the requirement was waived by the judge.

The normal line of progression for repeaters has been to

move from probation to private placement to confinement in a public correctional institution. More than half the young people committed to the OYC and YDC were on probation or in private placement prior to commitment.

It should be noted that commitment to OYC and YDC has declined by 28 percent during the first five years of the 1970's. At the same time the transfer of youth cases to the Court of Common Pleas for trial as adults increased from 27 to 55 a year.

During this period the Court also dramatically increased its use of community agencies, either in lieu of court action or as a supplement to probation.

One major vehicle for this has been the Juvenile Court's own diversion project funded by federal grants from the Law Enforcement Assistance Administration. The Court has purchased services directly from four well-established agencies, thereby circumventing the usual waiting period for referral cases and assuring that the juvenile and his family actually contact the agency. Most of the juveniles referred to the project are those who have been charged with unruliness. Others have been adjudicated for breaking and entering, shoplifting and drug offenses.

### **Community Agencies and the Need for Coordination**

There is a growing awareness nationwide that involvement with the juvenile court often results in trauma and stigma which inhibits rehabilitation. Furthermore, incarceration in public correctional institutions helps turn some delinquents into adult criminals.

As a result there is increasing effort in Cuyahoga County to divert youth away from the Court into new and existing social service programs and to create alternatives within the community to formal incarceration.

This has created a need for a more effective referral system for use by police, school officials and others, as well as by the Juvenile Court. It also has created a need for greater coordination of programs.

The 250 private agencies serving youth range from the traditional Boy Scouts and YMCA to experimental efforts for drug

addicts. They involve efforts to help youth cope with school, find a job or alleviate physical or mental problems. In some efforts there is much duplication; in others, major gaps.

The number of agencies, however, have hindered comprehensive planning for, as one recent study reported, there is a tendency for each to operate alone rather than as part of a network of delivery services.

Contributing to the lack of coordination has been competition among the agencies and a tradition of distrust between the private and public agencies, particularly the Juvenile Court. Competition among the private agencies arises essentially from their desire to survive. Funding is scarce. They often look to the same private and public dollars. There exists some resentment that nearly half of the \$888,973 in LEAA block grants in 1975 went directly to the Court for its own programs.

An example of the problem was a project in which six established agencies employed outreach workers in seven high-delinquency neighborhoods to find and help youth usually alienated from traditional youth-serving agencies. The outreach workers provided counseling on an individual basis and served as advocates for juveniles in obtaining appropriate placement in agencies. Evidence of the success of the program was the low arrest and recidivism rate among participants. But the program died in 1975 when federal funding ran out.

Efforts are underway to reestablish the program through federal funds allocated to Ohio under Title XX of the new Social Security Act. However, the onslaught of proposals expected may increase the competition and duplication within the juvenile justice system. Since matching funds are required for Title XX programs, charitable foundations might use this to foster coordination.

The most effective effort is likely to result from the private agencies themselves taking the leadership in creating a planning and coordinating mechanism.

*The Committee recommends:*

**Support for a council of agencies to coordinate and expand community-based social service opportunities for juveniles.**

## **Neighborhood Diversion Programs**

In 1967 the President's Commission on Law Enforcement and the Administration of Justice proposed the establishment of a new kind of neighborhood agency to provide and coordinate programs for both delinquent and non-delinquent youth. The agencies ideally were to be located in comprehensive community centers.

What was to distinguish these new agencies, apart from their neighborhood base, was that they would be required to accept youth referred to them by either the police or the Juvenile Court intake staff. The neighborhood agencies would be expected to aid the more troublesome or alienated youth who might ordinarily be rejected by traditional youth-serving agencies and who might otherwise end up before the court and in correctional institutions because no one was willing to help them.

The new neighborhood diversion programs established throughout the country in response to the Presidential Commission's recommendation have taken a variety of forms, and with mixed reactions and results. They have been direct service, coordinating, advocacy and/or fund-raising agencies. Most have found it either necessary or easier to provide direct services.

Some of the essentials have been provided in Cuyahoga County—primarily through the court diversion project and the now inoperative youth outreach program—but they have not been combined in a single agency.

*The Committee recommends:*

**Support be given to the development of neighborhood diversion programs.**

## **Group Homes**

One of the major gaps in services in the Cuyahoga County juvenile justice system is the lack of appropriate residential facilities for use as temporary shelter, as an intermediate step between probation and commitment to a residential school or public correctional institution, and as halfway houses for

youths being released from correctional institutions.

The gap could be filled by the creation of group homes. A group home is a single house, duplex or apartment located on a residential street or in a low-rent housing development where a small number of youth live together under supervision of an adult who can fill the role of counselor or parent.

Group homes make it possible to remove some juveniles from their real homes, often the source of their problems in the first place, and yet still keep them within the context of a community, close to schools, churches, recreational facilities and social service agencies.

Several group homes exist in Cleveland but the Juvenile Court has found them inadequate for its purposes. The Ohio Youth Commission has access in the Cuyahoga County-Lorain County area to group homes with a total of only 67 spaces. While it can use these homes in lieu of institutionalization, it prefers to use them as halfway houses for delinquents about to be paroled from correctional facilities.

Presently the only temporary shelter available for juveniles awaiting hearings or placement is the court's Detention Center, a secure facility. Group homes would provide a more appropriate temporary shelter for those being held for unruly behavior or minor offenses.

*The Committee recommends:*

**Support for the establishment of additional group homes for juveniles.**

### **Runaway Program**

Another unmet need is for housing and counseling for young people who run away from home. Runaways, usually 12 to 18 years old, girls more likely than boys, often have no place to stay except with friends, street people or temporarily with the staff of agencies.

While the number is not known, the problem is large. Several hundred runaways a year are helped by local agencies to find temporary shelter and many more are seeking other assistance.

The need is for much more than "crash pads." The act of

running away is a cry for help, a symptom that something is wrong with home, school or other social situations. There, consequently, is a need for counseling for runaways and those contemplating running away and, where possible, their families as well.

A model program operated elsewhere in Ohio provides 24-hour crisis counseling, short-term individual and family counseling on a residential and non-residential basis, short-term emergency shelter for both boys and girls, 24-hour telephone information and referral services, and long-term referral and group counseling.

Federal funds are available for runaway programs and the Cuyahoga County Welfare Department is attempting to establish a runaway facility. The Welfare Department is the only agency empowered to provide temporary emergency care without the consent of parents or guardian.

*The Committee recommends:*

**Encouragement for the development of a shelter and counseling program for actual and potential runaways.**

## **Probation Officers and Other Court Personnel**

In recent years, the Juvenile Court has increased its staff significantly but has experienced a high rate of turnover. In a 13-month period from January 1, 1972 through January, 1973, the Court lost one-third of its employees, including one-half of its probation officers.

Turnover has slowed since salaries were increased substantially, but salaries still remain below those of other local agencies employing personnel for similar duties.

Considerable attention has been given to the probation officers. There are two kinds: those who prepare social histories for use in decisions by the judge or referee, and those who supervise and counsel juveniles placed on probation.

While the number of probation officers has nearly doubled in the last six or seven years, up to more than 90 persons, increased delinquency has left little reduction in caseloads. The

caseloads, especially those for boys, greatly exceed national standards. They are 64 for male probation officers and 52 for female probation officers. The National Council on Crime and Delinquency has suggested a caseload of 50; the President's Commission on Law Enforcement and the Administration of Justice, a caseload of 35.

The Juvenile Court is experimenting with neighborhood probation officers where the loads are lighter and the personnel are in closer contact with delinquents' home environment. The first one was established in 1969 with a Cleveland Foundation grant and more recent neighborhood offices have been established with federal funds.

In addition to probation officers, the branch offices are staffed by paraprofessional youth workers and new ones are being established with family and group counselors.

The combination of new staff and new approaches has accentuated the already existing need for personnel training.

In 1974, the Court employed a director of training who coordinates training for the entire staff and is responsible for a 6-week orientation program for new probation officers.

That year and in 1975 probation officers and their supervisors were trained in case management by the Corrections Academy of Cleveland State University and 50 Court and Detention Home supervisory personnel have taken part in a 60-hour management training program.

However, several gaps still remain in the training program and the Court needs at least one additional trainer on its staff as well as assistance from outside experts.

*The Committee recommends:*

**Support for expanding  
training for probation  
officers and other Juvenile  
Court personnel.**

### **Guidelines for Police, the Court and Others**

There are many points in the juvenile justice system at which critical decisions are made which affect the lives of the

young people involved.

Whether a juvenile becomes involved with the Court at all may depend upon the highly personal discretion of parents, school officials, merchants or, most likely, the police. More than half the complaints brought to the Cuyahoga County Juvenile Court originate with law enforcement officers. Many of the 60 different police departments operated by the municipalities within Cuyahoga County do not even have a juvenile division.

Whether an officer lets a child go or refers him to a social service agency or to the Court may depend upon many variables, such as whether the juvenile is black or white, lives in a slum or rich suburb, has long hair or short, is insolent or contrite.

Officers throughout the county need more specific guidelines as to when to stop a youth for suspicious behavior and when to refer him to the Juvenile Court. Police officers could benefit from courses designed to give them clearer insights into the characteristics of adolescent behavior.

School officials also vary considerably in how easily or quickly they refer truants to the Court or report rumors or actual disturbances to the police.

Guidelines would be useful to school officials, the staff of youth-serving agencies and others who deal with unruly children or juvenile delinquents.

*The Committee recommends:*

**Technical assistance to police, schools and other youth-serving agencies in formulating guidelines for dealing with juvenile problems.**

## **Juvenile Court Manual**

The Juvenile Court needs a manual which would provide more uniform guidance to staff at all stages in the handling of youth, from the intake office through probation. The manual should include operational, procedural and policy

matters. There also is a need for a study of the physical facilities of the Juvenile Court and their operation.

*The Committee recommends:*

**Technical assistance to the Cuyahoga County Juvenile Court to help it undertake a facilities study and formulate an operations manual.**

### **Evaluation**

Little is known about the effectiveness of the various methods of disposing of juvenile cases, including diversion programs, probation, and placement with private and public residential institutions. This is due in part to a lack of money and personnel to gather and analyze statistics but also to the lack of a clear definition as to what constitutes recidivism.

*The Committee recommends:*

**Assistance for evaluation of the various methods of disposing of juvenile cases.**

## Federal Funding

*Millions of federal dollars have poured into Greater Cleveland in the fight against crime but the results have been disappointing. The crime rate has continued to climb. Local government representatives, who dominate the process for awarding grants, want federal money spent largely for basic operations. Reformers want it for innovative programs. This report seeks ways to make that funding more effective.*

The Cleveland-Cuyahoga County area has received nearly \$43 million in federal funds from the Omnibus Crime Control and Safe Streets Act since its enactment by Congress in 1968 for "strengthening and improving law enforcement and criminal justice."

About half the money has been in the form of block grants channeled through the state of Ohio for local municipalities on the basis of their population and crime rate. The remainder has been in the form of discretionary grants awarded by the federal government directly to local units of government and, in minor amounts, to private non-profit agencies.

Cleveland's share of discretionary grants has been disproportionately high nationally for it received \$20 million as one of eight cities selected for the Impact Cities Program. The 3-year experiment terminated June 30, 1975 and, consequently, the annual amount coming into Greater Cleveland now is dropping off dramatically—down from \$10 million in 1975 to \$3 million in 1976.

It is likely, however, that the 1976 Congress not only will extend the Safe Street Acts but provide for greatly increased funding over the next five years.

In addition to the Safe Streets Act, the Cleveland-Cuyahoga County area receives federal funding for a variety of programs which touch in part on the criminal justice system, such as programs dealing with alcohol and drug abuse, youth

problems, employment counseling and various forms of legal aid. Furthermore, three municipalities use their federal revenue sharing to help underwrite the basic operating costs of their police forces, with nearly \$9 million spent by Cleveland in 1975 for police salaries.

While federal funding sounds massive, it is relatively small in comparison with the total criminal justice activity which has been estimated at about \$125 million a year in Cuyahoga County.

The funds most often have provided fiscal relief for traditional services of government agencies. Rarely have they been used as seed money for innovative projects aimed at reducing crime or reforming the criminal justice system. And they have left agencies scrambling for alternate sources of revenue once federal funding has terminated.

### **Block Grants and the CJCC**

The block grants of the Omnibus Crime Control and Safe Streets Act are allocated and administered locally by the Criminal Justice Coordinating Council of Greater Cleveland, an agency created by agreement between the city of Cleveland and the Cuyahoga County Commissioners.

Through the years the police have received the largest amount, with a substantial part going to electronic communications and record-keeping equipment. Sizeable amounts of money also have gone into a West Side satellite office of the Juvenile Court providing additional services for probationers, a Collinwood Youth Center, a Cleveland Police Cadet program, a community-based corrections project, an auto theft unit, a safety program for senior citizens and a computerized record-keeping system for the Municipal and Juvenile Courts. A total of \$6.5 million has gone for construction of the new Justice Center.

While annual block grant allocations to Cuyahoga County reached a high of more than \$4 million in 1973, they will be down to about \$2.7 million for 1976. The Criminal Justice Coordinating Council expects to allocate this amount in the following way: 34 percent to the police, 25 percent for juvenile delinquency, 22 percent for adult corrections, 14 percent for

the courts and 5 percent for system development involving the police, the courts and corrections.

Of the total for 1976, 83 percent is expected to go to government agencies and 17 percent to private social service agencies for community-based projects relating to prevention and rehabilitation.

The allocations are influenced significantly by the makeup of the Criminal Justice Coordinating Council. Nineteen of its 33 members serve automatically because of their office. These include the sheriff, police chiefs, prosecutors, mayors, county commissioners, and judges. The other 14 are appointed, half by the mayor of Cleveland and half by the president of the County Commissioners.

Congress, bowing to a lobby that opposed pressure from citizens' groups and service agencies for greater recognition, recently amended the act to require that at least half the members of the local coordinating councils be elected officials. So now only eight of the 14 appointed members are selected from the public at large.

The makeup obviously reflects the institutional interest within the various criminal justice agencies and, of course, has a considerable political complexion. It is noteworthy that there are no professional planners and only a few representatives of public, community or social service interests.

The full council meets four times a year and is served by a staff of 10 persons. Each year the staff reviews some 250 grant applications. In 1975 it selected 57 for funding. Obviously, this small staff is too thin to do the kind of fundamental, coordinated, long-range planning it has said it would like to do.

The CJCC staff recognizes that it has not yet been possible to conduct a thorough analysis of overall needs, and that there has been very little evaluation of the projects that have been funded.

Further, the institutional composition of the council necessarily creates pressures to divide the funds among the constituents of the system according to their relative strengths and consistent with their perceptions of their respective priority needs. Block grants are dispensed in somewhat of a pie-cutting fashion rather than pursuant to a planned

course aimed at overall coordination and targeted objectives of system improvement or crime reduction.

## **Impact Cities Program**

Fifteen percent of the funds from the Safe Streets Act are allocated for discretionary programs by the Law Enforcement Assistance Administration, a Justice Department Agency which administers the act at the federal level. The guidelines make it clear that discretionary funds are to be used for innovative approaches to problems—for programs that are experimental.

Locally, the smaller projects have been overshadowed by the Impact Cities program. The latter was designed to put massive funding into eight cities to reduce "stranger to stranger" crimes such as murder, rape, robbery, aggravated assault and burglary.

Nearly half the \$20 million which came to Cleveland under Impact Cities was spent for police activities. Juvenile delinquency received 21 percent, corrections received 22 percent and the courts the rest. The largest project, the Concentrated Crime Control project, enabled the employment of 188 additional police officers, which resulted in increased arrests. Other programs dealt with preventing juvenile delinquency, institutional and community-based rehabilitation for youth, drug abuse and alcoholism, a visiting judges program to reduce the delay between arrest and sentencing, and diversion efforts to reduce overcrowding in correctional facilities.

When the funding terminated the city avoided the trauma of dismissing 188 police officers by finding temporary funding from a different federal statute. A total of 70 percent of the project costs are being continued in this way and 19 percent are being continued by local government or private sources, some at reduced levels. Other programs were terminated.

Despite some praise, the Impact Cities program has been roundly criticized on the grounds that it tried to do too much too fast, that both federal leadership and local citizen input were lacking, that too much went to police activities, that there was little coordination with CJCC projects and little evaluation, and that continuation of programs became an acute problem when funding terminated.

## **Planning, Innovation and Evaluation**

While an enormous amount of federal money has flowed into Cleveland and Cuyahoga County, as noted above, it has been only a drop in the bucket compared with the total cost of the criminal justice system in the area. When used primarily for operating moneys instead of as seed money for criminal justice reform, the federal dollars can scarcely make a dent in the effort to reduce crime or improve the system.

The problem is how to establish priorities for the wise allocation of funds that are limited both in amount and duration, and small in relation to the overall operating costs.

The principal conclusion here is that what is needed is more long-range objective planning, experimentation and evaluation.

The planning should be directed toward defined goals that look to redirecting many activities, to finding new and better ways to deal with crime and criminals, to coordinating system improvement and ultimately to preventing and reducing crime—all within the framework of fairness and the protection of constitutional rights.

Only with stronger planning capability is it likely that resources will be wisely allocated to combat the problems of greatest concern to the community, such as violent crime.

There is need for both planning staff and data. Data needs include information concerning crime and the communities where it occurs, the personal history and background of persons apprehended, the success or failure of various prevention and rehabilitation efforts and, in general, the extent to which the objectives of various programs and projects are achieved.

There also is a need for directing planning toward innovative projects, toward ways of utilizing new developments and improved methods throughout the whole field of criminal justice.

A prototype of what needs to be done, in part, can be found in the Vera Institute of New York, a private agency. Since its inception in 1961, the Vera Institute has built an enviable record of accomplishment in setting up pilot projects which have been taken over by the police and other criminal justice agencies once their worth was demonstrated. The Vera Institute initiated a police summons project, comprehensive bail reform, detoxification diversion for alcoholics, drug addict

programs, offender employment and youth diversion projects.

In Greater Cleveland, it would be well to use the important resources of the two major universities, Case Western Reserve University and Cleveland State University. Their law schools and social science departments as well as their computer capability could make important contributions not only in training and research but also in monitoring and evaluating projects, so essential for effective planning. Both universities are willing to explore ways to cooperate with local governmental agencies in these fields.

*The Committee recommends:*

**Exploration of the feasibility of establishing a Criminal Justice Research and Innovation Institute for Greater Cleveland which would involve the university community. The Institute would provide planning, program development and evaluation to agencies in the criminal justice system.**

### **Coordination of Federal and Local Funding**

The block grant and Impact Cities programs have given rise to an appreciation of practical obstacles to obtaining continuation of a successful program once federal funding ceases. There is an obvious need to establish a closer relationship between distribution of funds by the Criminal Justice Coordinating Council and the budget planning of the city and county for the support of the police, courts and correctional institutions. The federal funding should be more closely coordinated with the local planning.

*The Committee recommends:*

**Support for a study for improving the coordination of federal and local criminal justice funding.**

## Public Understanding

Too few people are aware of the enormous amounts of federal money that have been made available to Greater Cleveland and of the work of the Criminal Justice Coordinating Council. The public needs a greater understanding of the role of the various public and social service agencies within the criminal justice system and of how the public, as individuals, can help at the grass roots level through reporting crimes, offering testimony, combating corruption, participating in anti-crime education programs and group safety activities.

In the last analysis it is public opinion that determines what policies will be followed, what direction reforms shall take, and what revenues will be committed to the maintenance and improvement of the system.

*The Committee recommends:*

**Support for programs which undertake to keep the public better informed about the criminal justice system and encourage broader citizen participation in that system.**

## The Role of the Media

The mass media has a major impact on public opinion and, therefore, on the operation of the criminal justice system. Though there is a large amount of coverage devoted to individual crimes, there is a tendency to sensationalism, and little awareness of how individual events relate to the larger system, or of how our constitutional guarantees underlie the operation of this system.

There is a need for a broader perspective in media reporting, and for a timely flow of objective information about crime and the criminal justice system, including information about the allocation of federal funds and the projects they support.

Efforts could be made to develop a training program in cooperation with one or both of the major daily newspapers

in Cleveland to provide seasoned editors and reporters with a solid grounding in the criminal justice system and current developments in the field.

*The Committee recommends:*

**Encouragement to the news media to give comprehensive in-depth coverage to the criminal justice system and the complex problems with which it deals.**