

Public has right to know about county jail, justice center deliberations (Crain's Cleveland Business, Apr 10, 2022)

By James M. Trutko

Cuyahoga County is approaching a critical community decision on public safety with virtually no public input or debate.

The Cuyahoga County Justice Center Steering Committee is nearing a final recommendation on the location and design of a new \$500 million jail and a \$1 billion justice center. The two facilities will last 30 to 40 years and have a profound effect on public safety, which is a primary governmental responsibility.

Locating details about the planned facilities is extremely difficult. The Steering Committee website has no clear summary of the status of deliberations or proposals. Interested persons must wade through thick PowerPoint decks or three-hour YouTube videos. After months of very little coverage, local media appear to have rediscovered the Steering Committee's deliberations, but the long blackout on coverage has left most of the public unaware of the project's status.

It's a shame, especially because current estimates clearly indicate the seriousness of the crime problem in Cuyahoga County.

Based on data from various sources, there were about 40,000 reported crimes in Cuyahoga County in 2020 — 35,200 crimes in the Ohio Incident-Based Reporting System (OIBRS) and 4,600 from other sources. The number of violent crimes (murder, rape, robbery, assault) was about 9,100 and the number of property crimes (burglary, larceny and motor vehicle theft) was 30,700. An estimate based solely on reported crime substantially underestimates the actual number of crimes and their impact. Pew Research Center quoted survey estimates from the national Bureau of Justice Statistics (BJS) that found that in 2019, "only 40.9% of violent crimes and 32.5% of household property crimes were reported to authorities."

Unfortunately, the magnitude of crime and the apparent ineffectiveness and mismanagement of the major county institutions dealing with crime have created a lack of confidence that government can keep its citizens safe, and that administration of justice will be unbiased and fair.

Equally problematic is that two divergent views have emerged regarding crime and punishment, with two fundamentally different philosophies about how to reduce crime and increase public safety. One side is concerned about lawlessness, permissiveness and the government not taking their crime responsibility seriously. The "deterrence through punishment" group believes that crime has been perpetrated throughout history by a small number of morally flawed individuals with evil intent. This group believes that both reducing crime and providing justice for victims involve punishing criminals. It advocates prevention of minor crimes, strong police presence and the need for certain incarceration or other punishment of the perpetrators.

The contemporary "root causes" perspective views crime primarily as the result of social and cultural factors. In this view, the solution is to reduce the social/cultural drivers and use treatments to minimize recidivism. In practice, this means reducing harsh or unfair sentences for minor infractions, using diversion programs for first offenses, and providing clinical treatment for mental health, behavioral or drug problems.

From what one can gather from the available information, many Steering Committee members seem to be proponents of the "root causes" approach and are incorporating their philosophy into the facilities' design. They are proceeding as if the public has confidence in their judgment, shares their assumptions about the crime strategy or solutions, is willing to pay for a project with many design amenities, and wants a quick decision.

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The opposite is true. The public is aware that the criminal justice "experts" in Cuyahoga County have historically done a miserable job managing the existing jail and court facilities. These experts are now proposing a new jail design that will require the sheriff's staff to manage larger pods with more integrated services at a remote location with 10%-20% fewer staff than in recent years. Despite the chronic staffing problems at the current facility, the Steering Committee is assuring the public that the sheriff will be able to manage a change whereby one officer now responsible for limited services for 24 inmates will soon be responsible for managing a comprehensive range of services for 48 inmates.

The Steering Committee is banking on a wholesale "system change" plan to reduce jail inmate counts, cut costs and reduce recidivism. The root causes-based plan is based on an optimistic belief that diversion is successful in reforming marginal criminals and cutting incarceration counts and costs. The diversion programs have only recently been introduced and have yet to be a proven solution to chronic jail overcrowding or a successful crime reduction strategy. But the Steering Committee is rushing ahead anyway without confirming whether the programs work.

A critical assumption in their plan is the projected number of jail beds, which will determine the size, design and cost of the jail. One might expect the Steering Committee to use the 10-year historical average of 2,100 daily inmates and 26,000 annual admissions to predict the probable number of criminals needing incarceration. Some very negative forecasts saw a jail population as high as 4,500 in 25 years.

But, up until last fall, based on their optimistic predictions about diversion and treatment programs, the Steering Committee was designing for 1,664 beds with diversion programs putting 500 formerly incarcerated individuals back into the community. Moreover, since 568 beds are reserved for people needing medical and mental health services, only about 1,100 beds would be for hard-core prisoners. Some members were evidently talking about designs as low as 1,000 total beds, so evidently the size issue depends on a number of subjective assessments. However, it seems unlikely that the public would share the Steering Committee's optimistic assumptions if they understood the plan.

Finally, the Steering Committee has projected total cost at roughly \$500 million for a new jail and \$1 billion for the new justice center courts, excluding land acquisition costs. Over time, the costs could increase significantly. The jail and court designs are heavy on amenities to make the facility attractive for the community, humane for prisoners and pleasant for the staff. The projected cost is at least \$2,500 for each Cuyahoga County household, so it's very important to get the right size and design.

Before moving forward, the Steering Committee should communicate a lot more with the public about their key assumptions on crime prevention and diversion programs in designing the facilities. More importantly, they need to explain how expenditures on the jail and justice center will reduce crime, improve public safety, and improve the efficiency and fairness of the courts.

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