

south euclid

CENTENNIAL | 1917 - 2017

February 6, 2017 Meeting

Senator Matt Dolan, Senate District 24
Mayor Georgine Welo
Councilman Dennis Fiorelli

Index

- ◆ South Euclid Municipal Court 2015 Statistical Update
- ◆ South Euclid Municipal Court
Revenue/expense Comparison
- ◆ City of South Euclid Court 2007-2015 Analysis
- ◆ Municipal Court Analysis
Cuyahoga County courts by Population
- ◆ City of South Euclid Legislation
- ◆ Various Articles
- ◆ Article

South Euclid Municipal Court 2015 Statistical Update

- The Ohio Supreme Court's 2015 Annual Report indicates the following:
 - The South Euclid Municipal Court's Overall Caseload Clearance Rate was 93%, an increase from the 2014 figure of 88%. The 93% Clearance Rate was the lowest rating of all municipal courts in the entire State of Ohio.
 - The South Euclid Municipal Court's Overall Felony Caseload Clearance Rate was 90%, fourth (4th) lowest rating of all full-time municipal courts in the entire State of Ohio. Further, the South Euclid Municipal Court had 26 felony cases pending beyond the time guidelines, the sixth (6th) lowest rating of all full-time municipal courts in the entire State of Ohio.
 - The South Euclid Municipal Court's Overall Misdemeanor Caseload Clearance Rate was 110%, an increase from the 2014 figure of 82%. However, the South Euclid Municipal Court had 201 misdemeanor cases pending beyond the time guidelines, the third (3rd) lowest rating of all municipal courts in the entire State of Ohio.
 - The South Euclid Municipal Court's OVI Caseload Clearance Rate was 80%, an increase from the 2014 figure of 78%. The 80% Clearance Rate was the third (3rd) lowest rating of all municipal courts in the entire State of Ohio.
 - The South Euclid Municipal Court's General Traffic Caseload Clearance Rate was 86%, a decrease from the 2014 figure of 92%. The 86% Clearance Rate was the lowest rating of all municipal courts in the State of Ohio. Further, the South Euclid Municipal Court had 458 traffic cases pending beyond the time guidelines, the third (3rd) lowest rating of all municipal courts in the entire State of Ohio.

South Euclid Municipal Court

Revenue/Expense Comparison

By Dennis Fiorelli

August 27, 2016

Draft

The *City of South Euclid Court 2007-2015 Analysis* (Revised 4-18-16) indicates the Court's financial impact on the General Fund for the nine year period was \$28,365.38.

The *Analysis* also indicates that if the Court was operating on "Court Cost" and returning "fines" to the City, the impact would have been \$2,032,896.33 to the General Fund. The nine year average was \$225,000 per year. The recent four year trend average was \$290,000 per year.

By comparison for the same 2007-2015 period:

<u>City</u>	<u>*Court's contribution</u>
Mayfield Heights	\$2,169,001
Highland Heights	\$1,779,882
Mayfield Village	\$1,551,012
Lyndhurst	\$2,390,490
Gates Mills	\$517,261
South Euclid	\$28,365

* Court's contribution to the Cities' General Fund as provided by the respective Finance Departments. All Cities employ the Lyndhurst Municipal Court except South Euclid employs its own Court.

City of South Euclid Court 2007-2015 Analysis (UPDATED THRU 2015) - Revised 4/18/16

YEAR	(A) Court YTD EXPENSE (General Fund) (7750)	(B) Court YTD REVENUE (General Fund) (1)	(A)-(B) +/- Impact on General Fund w/SE Court	(D) South Euclid Fines Collected by Court	(D)-((A)-(B)) Variance (3)
2007	\$ 473,144.96	\$ 515,782.31	\$ 42,637.35	\$ 192,207.25	\$ 149,569.90
2008	502,450.26	592,390.60	89,940.34	219,283.00	129,342.66
2009	538,034.01	519,406.14	(18,627.87)	224,618.00	243,245.87
2010	534,024.86	619,695.56	85,670.70	249,879.00	164,208.30
2011	562,756.47	638,008.79	75,252.32	261,344.00	186,091.68
2012	688,502.65	609,939.72	(78,562.93)	254,261.00	332,823.93
2013	607,113.68	567,354.92	(39,758.76)	221,636.50	261,395.26
2014	602,068.87	547,640.47	(54,428.40)	234,997.45	289,425.85
2015	575,281.37	501,524.00	(73,757.37)	203,035.51	276,792.88
Total	\$ 5,083,377.13	\$ 5,111,742.51	\$ 28,365.38	\$ 2,061,261.71	\$ 2,032,896.33

JUDGE KLERI
JUDGE GAYLE WILLIAMS BYERS

NOTES:

- (1) Revenues reflect the following: Criminal Fines, Civil Fines, Expungement Fees, DUI Housing Costs, Jury Trial Reimbursement
- (2) Total Amount of City Fines Collected by Court that were deposited in General Fund (CITY FINES RECORDED IN FUND 101-6000-46102)
- (3) This dollar amount represents the actual amount that would have been recognized by the General Fund

Municipal Court Analysis

By Dennis Fiorelli

October 20, 2016

Cuyahoga County Courts by population

	Court	Judges	Population	Per Judge Population
1	Cleveland	12	398,012	33,168
2	Parma	3	176,858	58,953
3	Berea	1	121,538	121,538
4	Rocky River	2	118,137	59,069
5	Bedford	2	80,086	40,043
6	Garfield Heights	2	79,896	39,948
7	Shaker Heights	1	60,508	60,508
8	Lyndhurst	1	57,777	57,777
9	*Lakewood	1	52,131	52,131
10	*Euclid	1	48,920	48,920
11	*Cleveland Heights	1	46,121	46,121
12	*South Euclid	1	22,295	22,295
13	*East Cleveland	1	17,843	17,843

*Denotes Court serving a single municipality.

1. Source State of Ohio 2014 Municipal Court Reporting
2. Cleveland Housing Court is not included in analysis

Of the 59 Cuyahoga County communities:

1. Only five (8%) operate their own non-regional/single municipality court (CH, E. Cleve., Euclid, Lakewood, & SE).
2. 46 or 78% employ a regional court - not their own.
3. 54 or 92% employ a regional court that may include their own.
4. The top two by efficiency are Berea and Shaker Heights.
5. The bottom two by efficiency are South Euclid and East Cleveland.

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 45-15
INTRODUCED BY: Miller
REQUESTED BY: Miller & Romeo

November 23, 2015
Second Reading: December 14, 2015
Third Reading: April 25, 2016

A RESOLUTION

REQUESTING THE OHIO STATE LEGISLATURE INTRODUCE AND PASS LEGISLATION TO MERGE THE SOUTH EUCLID MUNICIPAL COURT WITH A NEIGHBORING MUNICIPAL COURT AND REQUESTING THE OHIO SUPREME COURT TO ASSIST WITH SAID MERGER.

WHEREAS, the Council of the City of South Euclid is responsible for managing the financial resources of the City in the manner that best serves the residents of South Euclid while providing a fair and efficient system to adjudicate the enforcement of local laws and legal disputes; and

WHEREAS, between 1970 and 2010, the population of the City of South Euclid has decreased by over 7,000 residents, and was estimated to fall below 22,000 residents in 2014; and

WHEREAS, the financial records of the City and the South Euclid Municipal Court indicate that, since 2012, the City has expended an average of approximately \$57,000 ~~\$61,626~~ per annum from the General Fund in order to supplement the operating expenses of the Court; and

~~WHEREAS, the financial records of the City of South Euclid are also impacted by the expenses related to the almost \$37,000 expended since 2012 to the Unemployment Bureau to pay for former South Euclid Municipal Court employees; and~~

~~WHEREAS, the City's average annual expenditures for the South Euclid Municipal Court operations over the past three years reflect an increase of 21% over the previous 5 year average although the number of the cases filed in criminal, traffic or civil matters in the South Euclid Municipal Court has not increased over the years; and~~

~~WHEREAS, the financial records of the City and the South Euclid Municipal Court indicate that average amount of fines collected on an annual basis by the South Euclid Municipal Court have decreased approximately 3% per annum since 2011; and~~

~~WHEREAS, one of the constitutional rights afforded to citizens is the right to a speedy trial, and with it comes the expectation of an expeditious resolution; and~~

~~WHEREAS, the Ohio Supreme Court's 2014 Annual Report indicates that the South Euclid Municipal Court's Overall Caseload Clearance Rate of 88%, its Eviction Clearance Rate of 73%, its OVI Clearance Rate of 78%, and General Traffic Clearance Rate of 92% are all ranked the second lowest in the State, and its Criminal Misdemeanor Clearance Rate of 82% is the lowest in the State of Ohio; and~~

WHEREAS, from 2009 through the projected end of 2015, the City of South Euclid has aggregated losses of approximately \$5,441,961 in real and personal property tax revenue; and

WHEREAS, based upon revenues derived from 2009 through the projected end of 2015, the City of South Euclid will lose approximately \$146,000 per annum in commercial activity tax revenue, which has been abolished by the Ohio Legislature; and

WHEREAS, based upon revenues derived from 2009 through the end of 2014, the City of South Euclid will lose approximately \$350,000 per annum in inheritance taxes, which has been abolished by the Ohio Legislature; and

WHEREAS, based upon revenues derived from 2009 through the projected end of 2015, the City of South Euclid has lost approximately \$650,000 per annum in Local Government Revenue Assistance from County and State sources due to enactment of budget reforms by the Ohio Legislature; and

WHEREAS, the City of South Euclid has long been a proponent of and participant in regionalization of services, including South Euclid-Lyndhurst Recreation (SELREC,) Northeast Ohio Risk Management Association (NORMA,) Eastside Departments Group Enforcement SWAT team (EDGE,) Northeast Ohio Public energy Council (NOPEC) and many other partnerships; and

WHEREAS, in 2012 the City of South Euclid authored a successful grant application to look at the regional consolidation of our emergency dispatch center with neighboring communities. In 2016 the City expects the regionalization of the emergency dispatch center to commence operations; and

WHEREAS, these collaborations have proven to be both financially and operationally advantageous to the City and its residents and stakeholders; and

WHEREAS, the Council of the City of South Euclid recognizes the benefits of regionalization and the sharing of limited public resources; and

WHEREAS, due to continued and ongoing budgetary concerns, ~~and out of concern for fair and efficient adjudication of cases,~~ it would be fiscally and operationally prudent to ~~eliminate the South Euclid Municipal Court and~~ merge it with a neighboring municipal court, in order to maximize fiscal and personnel resources and benefit the citizens of South Euclid who have cases to be heard in civil, traffic, and criminal matters.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of South Euclid requests that the Ohio State Legislature introduce legislation to merge the South Euclid Municipal court with a neighboring municipal court and requesting the Supreme Court of the State of Ohio assist in this process and that the merging of the South Euclid Municipal Court with a neighboring municipal court commence at the end of the South Euclid Municipal Court Judge's current term in office.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of South Euclid requests that the Ohio State Legislature introduce legislation to merge the South Euclid Municipal Court with a neighboring municipal court, **or alternatively, merge a neighboring municipal court into the South Euclid Municipal Court jurisdiction,** and requesting the Supreme Court of the State of Ohio assist in the process and that the merging of the South Euclid Municipal Court with [and] a neighboring municipal court commence at the end of the South Euclid Municipal Court Judge's current term in office.

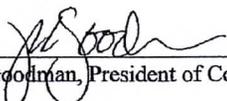
Section 1: That the City of South Euclid will appropriate the necessary funds for the study of the feasibility of such a merger, and for the process of carrying out such procedures as are necessary to complete said merger.

Section 2: That the Council of the City of South Euclid hereby requests that the Clerk of Council forward a certified copy of this Resolution to the Speaker of the Ohio House of Representatives, the Ohio Senate President, State Senator Kenny Yuko, State Representative Kent Smith and Ohio Supreme Court Chief Justice Maureen O'Connor.

Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

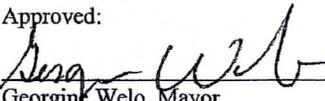
Passed this 25th day of April, 2015 2016.



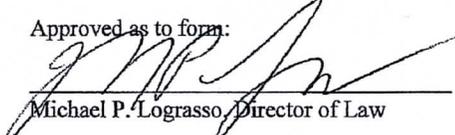
Jane Goodman, President of Council

Attest:


Keith A. Benjamin, Clerk of Council

Approved:


Georgine Welo, Mayor

Approved as to form:


Michael P. Lograsso, Director of Law

chanted "Mother Teresa Ko Jai" (Hall Mother Teresa).

She made a brief speech to the crowd. I thought she was going to give a lecture on the virtues of serving the downtrodden. How wrong I was. Instead, she apologized for the

Both of them liberally quoted the scriptures. However, the major difference is that Gandhi's mission was confined to India — to drive the British out of the subcontinent. Mother Teresa's call transcended the Indian Ocean

U.S. television networks were "shamed into" covering her funeral live because of the live coverage given to Princess Diana's funeral. Mother Teresa would have been slighted by that knowledge because she never sought publicity

to prove that she was an agent of God and not of the CIA. As the Missionaries of Charity she founded in Calcutta began to grow, donations began to pour in. Occasionally there would be reports of thefts of these contribu-

ble manner, she would repeat one of her famous quotes: "I feel like a pencil in God's hand... God through me — and however imperfectly, may be — He writes beautifully."

Mother Teresa Friday at The Cathedral of St. John the Evangelist, for herself. Given a chance, she would be telling the media moguls not to waste their time and money on her and spend them on the poor. Perhaps, in her inimitable, hum-

LETTERS

South Euclid full-time court funding options need examined

To the editor:
The requesting of the creation for a full-time judicial position for the South Euclid Municipal Court is again putting the cart before the horse as our city is plagued with continuing financial restraints. The city council of South Euclid must stop adding increased liabilities to our taxpaying citizens.
Currently, there has been no city tax increase since 1983. The mayor was instructed by council in the spring of this year to cut the budget \$300,000, which again left the need for more police, fire and service workers along with a new desperately needed fire truck. I ask, "How then, can you place a burden on our city for the year 2000?"
Each year, the mayor and his department heads are faced with less and less funding to continue the excellent services our citizens have enjoyed for years. Many residents ask both the council and administration why they have no curbs, why street signs are missing and why the streets are dilapidated. Again, I ask, "Why would a city council endorse more tax dollars

state's 121 municipal courts, the average case load is more than 12,000 cases per judge. Approximately 30 percent of judges handle, with the aid of magistrates, more than 15,000 cases each year, with some as high as 26,000 cases. Assuming these are all full-time judges, it still comes to more than 7,500 cases per "part-time" judge, far below the just less than 5,000 cases in our court.
Secondly, Judge Patricia Kleri showed that the cost of a full-time judge to the city would only be an additional \$15,732. While this is true in salary only, the rest of the cost of \$57,350 would be "picked up by the state and county." No matter how you figure it, the city's share, the county's share and the state's share all come out of the city of South Euclid's taxpayers' pocket. The increase of staff members, utilities and operating costs that will rise from a court going from two days a week to five days a week will have to be funded from the city treasury.
The option of hiring a magistrate to handle the workload until the matter of city finances is solved,

dating the 13-year-old Community Center that is used by both the aged and young, a comprehensive street sign program, relining of our water mains, curb and street repairs along with more commitment to our housing stock and work forces. I urged my fellow council people not to vote yes on Resolution 63-97, sponsored by Councilwoman Jean Weiner. It passed on a 5-2 vote. I ask, "Why, when you do not have enough money to fund the current budget, would you put more debt on the city?" Is this an emergency? Is this vital? In no way was it an emergency measure necessary for the immediate preservation for public

peace, health and safety of our residents and nor a vital function of municipal government that needs to be passed before funding is found.
City council must begin the process to educate the residents of South Euclid as to what their funding options are. Not until or after this process is accomplished will I support a measure such as Resolution 63-97. Whether it's city, county, state or federal tax dollars — you pay for it.

Georgine Welo
Councilwoman-at-Large
South Euclid

What You Need To Know About DAILYWORKER

Article from 1998

Full-time judicial position would strain South Euclid resources

J. WICKLIFFE Mayor Bill Margalis for of The News-Herald.

Another Viewpoint is a column The News-Herald makes available so all sides of issues may be aired. Freedom of expression, we believe, is essential to the future of the country. Georgine Welo lives in South Euclid.

The requesting of the creation for a full-time judicial position for the South Euclid Municipal Court is again putting the cart before the horse as our city is plagued with continuing financial restraints. The city council of South Euclid must stop adding increased liabilities to our tax paying citizens. Currently, there has been no city tax increase since 1983. The Mayor was instructed by council in the spring of this year to cut the budget \$300,000. Which again left the need for more police, fire and service workers along with a new fire truck that is desperately needed. I ask, "How then, can you place a burden on our city for the year 2000?"

Each year the mayor and his department heads are faced with less and less funding to continue the excellent services our citizens have enjoyed for years. Many residents contact both the council and administration as to why they have no curbs, why street signs are missing, and why the streets are dilapidated. Again, I ask, "Why would a city council endorse more tax dollars than



Another Viewpoint
Georgine Welo

they have to spend?" Councilman at Large Les Nagyoszy pointed out that in the state's 121 municipal courts, the average case load is over 12,000 cases per judge. Approximately 30 percent of judges handle, with the aid of magistrates, over 15,000 cases each year. With some as high as 26,000 cases. Assuming these are all full-time judges, it still comes to over 7,500 cases per "part-time" judge, far below the just under 5,000 cases in our

Secondly, Judge Kleri showed that the cost of a full-time judge to the city would "only" be an additional \$15,732. While this is true in salary only, the rest of the cost of \$57,350 would be "picked up by the state and county." No matter how you figure it, the city's share, the county's share and the state's share all come out of the city of South Euclid's taxpayer's pocket. The increase of staff members, utilities and operating costs that will rise from a court going from two days a week to five days a week will have to be funded from the city treasury.

The option of hiring a magistrate to handle the workload until the matter of city finances is solved, should and can be done. In hiring a part-time magistrate, it would allow the removal of the position if the case load does not persist not like a full-time judgeship which would remain. Each judge has his or her own style. The amount of pre-trials and other events leading up to an actual court date is different. In our committee meeting Judge Kleri gave examples of her style of judgeship. I support our current judge with no question and found her compassion to work with many of the defendants honorable. However, until the city council of South Euclid makes their commitment to fund our city properly and the funding is

secured, I cannot support such spending of unknown Taxpayers dollars.

We currently have spent approximately \$355,000 on the new court building, \$45,178 on furnishings and \$10,000 for a refinished kitchen per request of the judge. By law, the city council has no power over what a municipal judge can spend or request in dollars either in material funding or salaries. The state legislature has made different laws governing a court versus municipality. An example of this is that a part-time clerk employed by city hall working 15-20 hours a week is not entitled to medical or other benefits, but a clerk of the court is given full medical benefits and other pro rated benefits. This ties our hands in the city as we are not permitted to deny a judges budget or proposal.

Our city is a World War II bedroom community built on the dollars of its taxpayers. There are no major retail areas such as malls, no industrial parks, no hospitals or major office buildings. We are a community built on neighborhood pride and hard working people. We boost our affordable housing, neighborhood parks and elementary schools and old fashioned block parties. Religious institutions of all faiths, private schools and locally owned merchants are also components of the com-

munity. It's a city where you know your neighbors and they know you. Just as your home finances come from your pockets, so do the finances of the city. The city has many needs like updating the 13-year-old Community Center that is used by both the aged and young, a comprehensive street sign program, relining of our water mains, curb and street repairs along with more commitment to our housing stock and work forces.

I urged my fellow council people not to vote yes on resolution 63-97, sponsored by council woman Jean Weiler. It passed on a 5 to 2 vote. I ask, "Why, when you do not have enough money to fund the current budget would you put more debt on the city?" Is this an emergency? Is this vital? In no way was it an emergency measure necessary for the immediate preservation for public peace, health and safety of our residents and nor a vital function of municipal government that needs to be passed before funding is found.

This city council must begin the process to educate the residents of South Euclid as to what their funding options are. Not until or after this process is accomplished will I support a measure such as Resolution 63-97. Whether it's city, county, state or federal tax dollars-- you pay for it.

Article from 1998

...this is a city where you know your neighbors and they know you. Just as your home finances come from your pockets, so do the finances of the city. The city has many needs like updating the 13-year-old Community Center that is used by both the aged and young, a comprehensive street sign program, relining of our water mains, curb and street repairs along with more commitment to our housing stock and work forces.

... Ghose said her nerves quickly dissolved as she spoke to the religious icon.

... married. From left, Halle Ghose, Mother Teresa, Theresa Ghose, Manash Ghose and Sanjoy Ghose, gather at Mother Teresa's mission house in Calcutta.

South Euclid court to go full-time possibly by 2000

By **KATHERINE CARTER**
Staff Writer

SOUTH EUCLID — While the city is one step closer to having a full-time court, it will take a few years for the plan to become a reality.

Council voted Monday to begin the process of making the city's part-time municipal court full-time. Judge Patricia Kleri said she hopes the paperwork will be done in time for the next judicial term, which begins in 2000.

Kleri presently earns about \$49,650 per year, a figure which would increase to \$86,400 with a full-time court. The city pays less than half of the judge's salary, with the majority of funds coming from the state and county government.

Kleri has said that her workload has increased due to drunk driving, driving under suspension and domestic violence cases. In addition, enforcement of housing code violations, eviction cases and civil cases has added to the overload, she said.

Kleri said she spends two full days a week on criminal cases, leaving no time to work on the docket, handle motions and complete administrative work. The position is technically for two and one-half days a week, but Kleri said she spends five days a week on the job.

"This judge has given up her time and other opportunities for private practice to be here five days a week," said councilwoman Jean

Weiner.

At a public hearing on the issue, no one came forth with any objections to the proposal. Weiner said. She said establishing a full-time court would be the most feasible option to handle the workload, as paying magistrates would be just as costly.

Kleri said magistrates would not help significantly, as most cases handled by a magistrate could be reviewed by the judge if a party is not happy with the decision.

Councilwoman Georgine Welo opposed giving the court full-time status, claiming it was "putting the cart before the horse."

Welo said council must look at a more comprehensive funding plan for all of its departments.

"The city must stop adding liabilities to residents," she said. "Each year there is less and less funding."

Welo said since there has been no tax increase since 1983, council must begin informing residents of the funding options for the city. The at-large councilwoman also opposed levying fees for ambulance usage to raise money for the fire department earlier this year, citing the same reasons.

Councilman Les Nagyoszy also opposed the resolution, calling it "premature."

Before the meeting, two East Antisdale Road residents confronted council about the drug problem on their street. They said they have

seen numerous cars coming and going and that a few houses specifically have created problems.

Police chief Tom Lucha said police have been working in the area for the past few years and that a few arrests have been made. Things have been calmer there in the past year and a half, he said.

"If there is any evidence that we have a drug problem going on here, I want to know about it," said Mayor John T. Kocevar. He said he has not heard from any other residents in the area, except for the two women.

He asked Lucha if there was any evidence of open drug sales in the East Antisdale area, and Lucha responded that there was not.

The women also complained about the noise emanating from cars going down their street. Kocevar promised an investigation into the complaints would be completed in the near future.

Lucha also warned council members that residents have suspected seeing coyotes in the Monticello Boulevard area. Lucha said that his research has indicated that a person has never been attacked by a coyote, but domestic animals could have trouble.

Amnesty International director speaks at UA

The director of Amnesty International will speak on human rights and international business at the University of Akron.

William F. Schulz, director since 1994, will speak on "Terror, Torture and Tyranny in Trade" at 7

p.m. Monday at the Martin University Center, 105 Fir Hill. A dinner preceding the lecture begins at 5.

Cost of the dinner is \$15. Reservations are required by calling (330) 972-6885.

PUBLISHER'S NOTICE

The Sun Messenger

3355 Richmond Road, Suite 171
Beachwood, Ohio 44122
(216) 464-NEWS

(USPS 615-100)

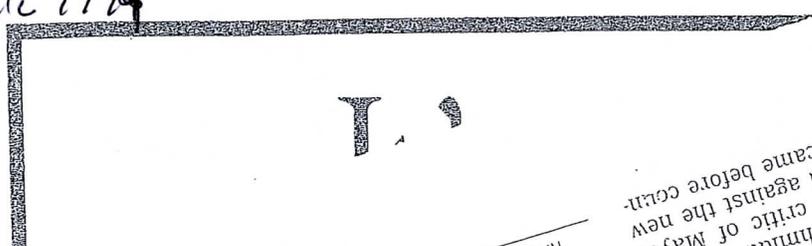
Published weekly on Thursday morning by The Sun Messenger serving Highland Hts., Lyndhurst, Mayfield Hts., Mayfield Village, Richmond Hts., South Euclid.

Home Delivery \$2.50 every four (4) weeks. Newsstand single copy .60 cents. Mail subscriptions are \$3.80 per year. Second class postage paid at Cleveland, Ohio.

Postmaster: Send address changes to The Sun Messenger, 5510 Cloverleaf Parkway, Cleveland, OH 44125.

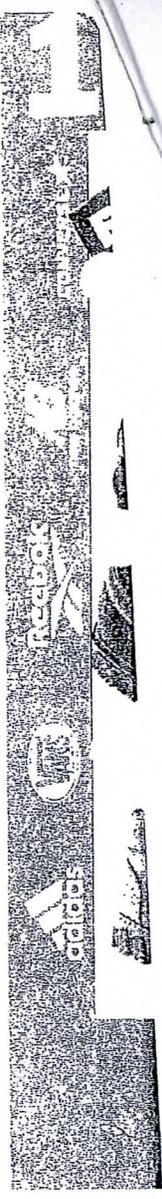
Member of Suburban Newspapers of America. Division of SunMedia Corp.

Article 1999



The Sun Messenger serves Northeastern Ohio: Bedford, Akron, Canton, Cleveland, Columbus, Cincinnati, Dayton, Lima, Mansfield, Marion, Massillon, Newburg, Parma, Sandusky, Warren, Youngstown, Zanesville, and other communities in the region.

Blanco went here, there and
keep the cricket team from mov-
s had arisen in the mass effort
'Nirvana built a new place for
There had been one earlier
'the money did pose a prob-
over the estimates."
"Look at the first bids for the
the designated figure
w soccer stadium.
: Nirvana would have to
ith the team.



Regionalism must take greater hold in Cuyahoga County

CARLO WOLFF | STAFF REPORTER
 cwoff@cjn.org

The panel former Shaker Heights Mayor Judy Rawson moderated at the Shaker Heights Public Library Aug. 18

18 pitted hope against concern in regard to Cuyahoga County and the role Shaker Heights plays in the county's governance.

About 60 people attended "Regionalism and Shaker Heights: What Are the Options? What's in it for Shaker?" The presentation was a study in contrasts as Armond Budish, Edward Kraus, Hunter Morrison and Earl M. Leiken expressed both optimism and worry.

Budish is Cuyahoga County Executive. Kraus is director of regional collaboration for the county and a Solon councilman, Morrison is a senior fellow at the Maxine Goodman Levin College of Urban Affairs at Cleveland State University and Leiken has been mayor of Shaker Heights since 2008.

The event was cosponsored by the League of Women Voters-Shaker chapter and the Shaker library.

Rawson focused on four issues: a county-wide pre-kindergarten education program, Budish's project, voluntary community mergers of public safety services, Kraus's domain, sharing of revenues and services, perhaps through a regional incentive fund, Leiken's topic, and the role transit and

utilities play in coordinated planning, a topic Morrison became a specialist in as planning director for the city of Cleveland for two decades (he's also director of the Northeast Ohio Sustainable Communities Consortium).

Budish touted the \$22-million, county-wide pre-kindergarten education program instituted under his watch, saying that through a public-private partnership and no thanks to the state of Ohio, it serves 4,000 pre-K kids. "This is as close to a silver bullet as you can get," he said. He also cited the lakefront as a major asset. Kraus noted that the millennials packing downtown apartments will want the lakefront developed with housing, entertainment, restaurants; such a neighborhood would help connect Cleveland to such suburbs as Lakewood and Euclid, Morrison added.

Kraus said cities spend 60 to 65 percent of their budget on police and fire departments, and the county's municipalities can no longer go it alone, including Solon, which recently joined 13 other communities in the Chagrin Valley Dispatch Center. Cleveland Heights is joining a similar center with Shaker Heights, South Euclid and University Heights.

Morrison, who grew up in Shaker Heights and Pepper Pike, cited Shaker's



Former Shaker Heights Mayor Judy Rawson, from left, Solon Councilman Edward H. Kraus, Hunter Morrison, senior fellow at the Maxine Goodman Levin College of Urban Affairs at Cleveland State University, and Shaker Heights Mayor Earl M. Leiken look on as Cuyahoga County Executive Armond D. Budish makes a point. | CJN Photo / Carlo Wolff

and educational prowess as models for the region. At the same time, he noted that the region's infrastructure was built for 5 million people, and only 4 million live here. A dwindling population and tax base and an aging infrastructure are trends that must be reversed if the region is to survive, let alone thrive, he said. He called the Greater Cleveland Regional Transit Authority "one of the best transit systems in the country"

business.

Should more affluent communities like Beachwood and Solon help impoverished ones like East Cleveland and Maple Heights? Leiken said yes, noting Minnesota "has allowed for some form of revenue sharing when new companies move into the state." Great idea, said Morrison, but state law mandates that each county jurisdiction must balance its budget annually. New legis-

Regionalism

Cooperation called key to vitality

SUN
8-25-16

Forum participants promote shared services, even taxes

ROBERT HIGGS
bhiggs@cleveland.com

Regional cooperation, whether sharing of services between communities or sharing of tax revenues throughout Cuyahoga County, is an idea that will only become more important as communities struggle to cope with tightening budgets, speakers at a forum argued Aug. 18.

Populations have grown in some communities and shrunk in others, but the region as a whole is stagnant.

Without joint efforts across the region, short-term gains now in any community will be just that — short-term. Long-term growth requires regional solutions, they said.

“We have to work together if we’re going to

continue to have home rule” and 59 autonomous communities in Cuyahoga County, said Eddy Kraus, Cuyahoga County’s director of regional coordination.

Kraus’ job is to promote regionalism, whether between communities or through services that Cuyahoga County provides to all communities.

Kraus was joined at the forum by Cuyahoga County Executive Armond Budish, Shaker Heights Mayor Earl Leiken and Hunter Morrison, the director of Northeast Ohio Sustainable Communities Consortium.

The event, which drew about 60 people, was sponsored by the League of Women Voters of Greater Cleveland and Shaker Heights Public Library.

Here are some of the key points:

Change in thinking required

Successful efforts toward regionalism — whether pooling resources to cut individual community costs for services or sharing tax revenues across the region — will require a shift in thinking, panelists said.

The region is really one job market and one retail market that crosses borders of individual communities, Morrison said. Yet communities tend to look at what’s best for them first.

“If you’re the mayor of Westlake you go for the highest revenue stream possible and you try to keep your costs down,” Morrison said. “If you’re the mayor of East Cleveland, your job is the same.”

SEE REGIONAL | A10

REGIONAL

FROM A1

But what happens in one community affects all its neighbors, Leiken said.

"The next suburb's problem is our problem," said Leiken, a former chair of the First Suburbs Consortium, a coalition of inner-ring suburbs. "The next community's problem is our problem. Cleveland's problem is our problem."

Pooling services a starting point

One area that already has shown success is shared dispatching.

Communities on all sides of Cuyahoga County have teamed up to create dispatching centers.

Those centers cost less than individual dispatching because the equipment and employee costs are spread out among several communities, Kraus said.

Cities from Maple Heights, Garfield Heights and Parma to Bedford and Bedford

"The next suburb's problem is our problem. The next community's problem is our problem. Cleveland's problem is our problem."

Earl Leiken, Shaker Heights mayor and a former chair of the First Suburbs Consortium, a coalition of inner-ring suburbs

Heights all are struggling with budgets, Kraus said. "Whether you're Westlake or your Independence, people just can't maintain those robust budgets," Kraus said.

Regional transportation

A regional approach to growth will require a regional approach to mass transportation, Morrison said.

Well maintained and adequate bus and rail lines that link outer suburbs with Cleveland and the inner-ring communities are important, he said, because potential employees will need them to get to jobs — particularly in retail centers.

In that sense, transportation becomes an economic issue.

He used Shaker Heights as an example. The community is well linked by bus and rail to University Circle and

downtown Cleveland but not to nearby commercial areas like Woodmere or Solon.

Public and private partnerships

Corporate support for programs can be tapped to help fund programs for the region, the panel argued. The business community has a vested interest in supporting programs that make communities stronger.

Budish noted efforts to expand the county's pre-kindergarten education programs as a good example.

"There's lots of studies out there ... and it is clear that when a child gets a good start to life ... they do better the rest of their life," Budish said.

The goal was to double participation in the county program, which served about

2,000 pre-kindergarten-aged children.

Cuyahoga County added \$10 million to its budget to help with that support. Corporate partners in the county pledged \$12 million.

As a result, the program will be able to handle twice as many children for four years.

Tax sharing

Perhaps the toughest sell toward promoting regionalism will be to persuade communities to share tax revenues, the panel said.

"A lot of this is attitudinal," Leiken said.

The challenge is getting communities to buy into the idea "that we're in this together."

Getting that buy-in, though, will require baby steps to start, Leiken said.

He suggested a starting point would be to establish a fund into which communities would share some of the windfall tax revenues from new development.

Money from that fund could be targeted to promote growth throughout the region.

At any court cost | First of three parts

Mayor's, municipal courts set varying ticket fines, court costs, fees

SUN NEWS 12-8-16

ROBERT HIGGS
bhiggs@cleveland.com

Speeding in Northeast Ohio could cost you \$100 in one spot and \$200 on the other side of the street, a cleveland.com analysis found.

It all depends on where you're stopped — how much the fine is in that town, what it costs to run the court and what fees are tacked on.

Check our database
How much does a speeding ticket cost in your town? [bit.ly/2ggs101](#)

More inside
Ohio's court system makes it hard to know ticket prices. [A11](#)

Cleveland.com collected the costs of speeding tickets in 69 mayor's and municipal courts in 195 communities across six Northeast Ohio counties. The total cost for driving 50 mph in a 35 mph zone? It ranged from \$81 in

LaGrange in Lorain County to \$222 in East Cleveland. Get busted for disorderly conduct, and you're looking at fines from \$114 (Seven Hills) to \$283 (Rocky River). And for driving with a license that expired a month before,

\$87 to \$272 (LaGrange and East Cleveland, again.) Ohio and Louisiana are the only states that allow individual cities to operate mayor's courts. Or they can join larger jurisdictions of municipal courts.

Either way, they're free to set their own fines, court costs and special fees, which can pay for computer upgrades, continuing education for judges or a courthouse.

Plus, the state and counties add their own required costs, collected for law enforcement databases and other purposes.

The breakdown of court costs and fines isn't often posted for public perusal. And costs are so complicated that even some court clerks have trouble explaining where the money goes.

SEE FINES | [A11](#)

Submitter
A H

A11

OF THREE PARTS

FINES

FROM A1

"This is a problem, given the disparate charges all over the board," said State Sen. Tom Patton, a Republican from Strongsville, who has been critical of how communities handle traffic cases. "The easiest fix would be from the courts themselves."

But that's easier said than done. The Ohio Supreme Court doesn't have jurisdiction over mayor's courts. And making broad changes on how municipal courts operate likely would require action from the legislature.

Why mayor's and municipal courts still have home-rule power is part of today's coverage, including explanations on where the money from court costs goes, why you might have to pay three times for speeding once, and which communities have the highest total costs.

Also included is how Ohio compares to other states with its jigsaw puzzle of local courts and all-over-the-map court fees. And if you want to challenge a court's decision, check out the Q&A on what a mayor's court is and how to appeal your ticket.

Ultimately, however, how you fare in court probably depends more on your location than anything else and, of course, keeping an eye on your speedometer.

Comparing ticket costs

Court system makes it hard to know what you'll pay

STEPHEN KOFF
skoff@cleveland.com

Get caught speeding in Shaker Heights, and you're on the hook for \$220.

If only you'd been caught next door in Cleveland Heights, where the total ticket cost would be \$50 less. Ohio is a crazy quilt of fines, court costs and fees. The fees and fines are so convoluted that not even all court clerks can recount which dollar goes where.

Ohio is one of only two states with mayor's courts. But "mayor's court" is just a title, and many other states have similar, equally messy systems with uneven prices for breaking the law.

Every expert we talked with said Ohio seems to follow the norm with a patchwork of courts, at least at the local level. Some states struggle even to keep track of which cities and towns have their own courts, fines and fees.

That's because court information tends to be gathered and tracked by each state's supreme court. Yet since mayors don't report to their state's judiciary, some supreme courts have no way of knowing what a particular city or mayor does.

Ohio's Supreme Court does.

"In Ohio, we know all the jurisdictions that have mayor's courts, and we know all of our municipal jurisdictions, of course," said Maureen O'Connor, chief justice of the Ohio Supreme Court.

O'Connor is co-leading a national task force for the Conference of Chief Justices and the Conference of State Court Administrators to examine disparities in bail, fines and fees. That includes the uneven court costs and special use fees that courts can charge as they choose.

"There are some states that do not know how many municipal courts they have,

because the city itself is empowered to create a court, and that court is not under the jurisdiction of the Supreme Court," O'Connor said. "So some burg could set up a mayor's court, a municipal court, put it in operation, put a magistrate in there, and it's not on the radar."

Even in states that know what their local courts are up to — and even in states that strive for uniformity — there are differences. California does not have mayor's courts. Traffic offenses and misdemeanors are handled in county courts. The state Judicial Council, which sets policy for all California courts, recommends a standard set of fines and fees each year.

But the courts and judicial officers are not bound by them, said Blaine Corren, a spokesman for the Judicial Council.

You might do better across the bay

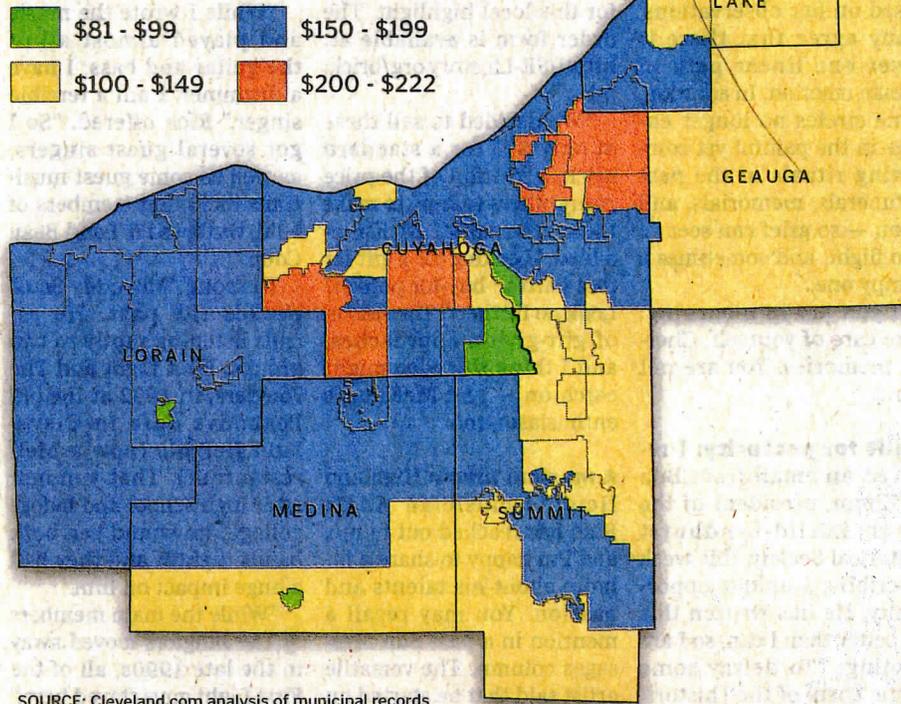
The recommended fine for going 15 mph over the speed limit in California is \$35. But California has so many fees — for the state, the county, the emergency responders, a state DNA fund, even a \$1 fee to pay for night court operations — that the total adds up to \$238 for that speeding ticket.

Despite that recommended total, varying county costs, fees and court practices make it an inaccurate predictor of what you'll actually pay. "The same speeding ticket might be a little less in Orange County than in L.A. County," Robert Hakim, a Los Angeles attorney, told cleveland.com. "It's the taxes and fees that might make the difference."

Some judges in county superior courts offer discounts for settling disputed tickets with a guilty plea, a way to expedite cases and avoid

Inconsistent ticket costs across Northeast Ohio

A Cleveland.com analysis revealed that the ticket cost of driving 50 mph in a 35-mph zone could almost triple depending on where you're stopped.



SOURCE: Cleveland.com analysis of municipal records

WILLIAM NEFF | THE PLAIN DEALER
RICH EXNER | CLEVELAND.COM

trials. The Center for Investigative Reporting found that in San Francisco one day, a court officer told about 80 people they could pay \$285 to settle any ticket of \$400 or more, and \$178 for tickets under \$400.

Let's stop beating up on the cities and villages and consider a different principle: home rule, which is the right of local government to decide on local issues.

It's an ideal of a democracy, said Ric Simmons, a law professor at Ohio State University. "I get that the person committing the crime might see it as unfair," Simmons said. But when it comes to fines, each jurisdiction has a right to set local priorities.

This is an age-old debate, and it's why we still see all these differences — a fine of \$12 in Barberton (with costs,

it jumps to \$164) but \$125 in East Cleveland (\$222 with costs) and \$55 in Shaker Heights (\$220 with costs) — for the same traffic offense.

There is hope for change. But only so much change or hope.

The 2014 police shooting of Michael Brown, an unarmed black man in Ferguson, Missouri, led to complaints about unequal justice, carried out through police stops, traffic fines and court practices across the St. Louis region.

Local groups and newspapers had already documented the disparities — and the local revenue-from-ticket schemes. But it took civil unrest and a Justice Department investigation to prompt change.

In 2015, 80 of the 82 municipal courts in St. Louis County agreed to adopt uni-

form fines and fees. Frank Vatterott, chairman of the St. Louis County Municipal Courts Improvement Committee and the municipal judge in Overland, Missouri, told cleveland.com that this was a result of Ferguson.

Yet a St. Louis civic group, Better Together, cautioned that voluntary action would not be enough. Dave Leipholtz, the group's director of community-based studies, said this year in a St. Louis Post-Dispatch op-ed that it is illogical to think the same officials who pursued municipal revenue "at the expense of justice" could suddenly be entrusted with their own oversight.

The lesson? Obey the law. Because if you slip up, it'll cost you. And your luck depends entirely — crazily so — on whose town border you have crossed.

People's stories illustrate the need for bail reform

Those who can't afford it often pay a high price

PETER KROUSE
pkrouse@cleveland.com

For much of the past year, cleveland.com has reported on how the bail system used by Cuyahoga County courts results in unequal justice. Too often, defendants who are poor can't make bail, while those of greater wealth are able to put up the money for their release.

Today, we look at the human side of the issue. We are rolling out vignettes about some of the people who have languished in jail because of their inability to make bail. One was accused of stealing underwear, another of drunken jaywalking. Yet another was accused of failing to appear in court to explain why he could not make payments to the court.

SEE JUSTICE | A6

Inside

Stories of three individuals who could not afford bail. **A6-7**

A6

IMPACT 2016: JUSTICE FOR ALL

Pointless jail stays are a concern for taxpayers, who must cover the cost of building, maintaining and staffing the cells. And jail stays also cost the people behind bars, according to advocacy groups such as the Maryland-based Pretrial Justice Institute. ¶ "Even three days in jail can be too much, leaving low-risk defendants less likely to appear in court and more likely to commit new crimes — because of the stress incarceration places on fundamentals like jobs, housing and family connections," the institute reports on its website.

JUSTICE

FROM A1

Bail-reform advocates contend that all three could have been freed after their arrests without endangering the public.

Pointless jail stays are a concern for taxpayers, who must cover the cost of building, maintaining and staffing the cells. And jail stays also cost the people behind bars,

according to advocacy groups such as the Maryland-based Pretrial Justice Institute.

"Even three days in jail can be too much, leaving low-risk defendants less likely to appear in court and more likely to commit new crimes — because of the stress incarceration places on fundamentals like jobs, housing and family connections," the institute reports on its website.

Some judges have begun to embrace the need for bail

reform. Cleveland Municipal Court recently decided to stop setting bond for non-violent misdemeanors. The change was championed by Cleveland Municipal Judge Ron Adrine after he visited the court system in Washington, D.C., where many suspects are released without bail and within hours of their arrests.

Bail reform also is a topic of examination inside Cuyahoga County Common

Pleas Court.

But inequities still exist. Cleveland.com recently reported that people accused of the same crimes are treated much differently in different communities. A first-degree misdemeanor charge resulting in a \$10,000 bond in one municipal court may require only a \$5,000 bond in another, or \$2,000 in yet another.

Bail reform advocates say systems, such as the one

used by Shaker Heights Municipal Court, cost the public unnecessary jail expenses and violate the constitutional rights of poor defendants.

"We are plunging [low-income people] further into poverty and further into the criminal justice system, and they will be less likely to afford insurance, keep a job or pay their child support," said American Civil Liberties Union Senior Policy Director Mike Brickner.

Mike Brickner.

"We need to have a system that isn't tied to money and has a predisposition toward letting individuals out of jail, because we know the system works better for individuals when they're not kept in jail."

We hope this series of stories will spark constructive conversation and possible solutions to this important issue facing our community. To comment online, go to cleveland.com via <http://bit.ly/2e5FPu>.

Sunday, October 30, 2016

THURSDAY, DECEMBER 22, 2016

SUN MESSENGER

At any court cost | Last of three parts

Where the money goes: Court costs pay for upgrades, training

KAREN FARKAS
kfarkas@cleveland.com

When you pay more than \$100 in court costs, in addition to a fine for breaking the law, where does the money go?

The state charges \$39 on each ticket. Cuyahoga County charges \$5 for a law enforcement database.

The rest of the bill is up to mayor's and municipal courts, which can set their

Check our database: How much does a speeding ticket cost in your town? <http://bit.ly/2gGs101>

court costs at whatever they see fit, plus charge any special projects fees for any purpose.

Many courts charge a general "special projects fee," generally \$20.

State law says a municipal court "may determine that,

More inside: One traffic ticket can turn into a financial nightmare for low-income offenders. **A10**

for the efficient operation of the court, additional funds are necessary to acquire and pay for special projects of the court including, but not limited to, the acquisition of additional facilities or the rehabilitation of existing facilities, the acquisition of

equipment, the hiring and training of staff, community service programs, mediation or dispute resolution services, the employment of magistrates, the training and education of judges, acting judges, and magistrates, and other related services."

The ability to assess the fee as part of court costs began in 1997 when courts needed money to upgrade technology.

Here are a few examples

of the extras your court costs pay for in Northeast Ohio.

Computers: Offenders in Geauga County pay \$30 in special fees in their court costs paid in Chardon Municipal Court — \$10 for improving computers and information technology in the clerk's office and \$20 for buildings and special projects.

SEE COURTS | **A10**

COURTS

FROM A1

Cuyahoga County Regional Enterprise Data Sharing System: Anyone who receives a ticket for a moving violation in Cuyahoga County pays \$5 for the county's Regional Enterprise Data Sharing

System, which is used by courts and law enforcement.

Cuyahoga County says its system supports more than 70 law enforcement and criminal justice service agencies across Cuyahoga and surrounding counties.

Building upgrades: Stow Municipal Court's \$20 spe-

cial projects fee goes toward paying off the mortgage on a \$9 million building, where it moved from Cuyahoga Falls in 2009.

Akron Municipal Court has been setting aside money from its special projects fee to help pay for a new courthouse. The fee was raised from \$10 to \$45 in January.

Legal conferences: "Training and education of judges" is an approved use of special use fees.

Most judges attend conferences in Ohio, but a few municipal court judges have used special project fees to travel as far as Hawaii to earn required legal education credits.

Judges in two east-side

municipal courts used special projects funds to pay for conferences in other states, including Hawaii; Hilton Head, South Carolina; San Diego; and Denver.

Willoughby judges also use the fund to pay for travel.

Judge Harry Field spent \$13,600 from 2012 to 2015, and his predecessor Larry

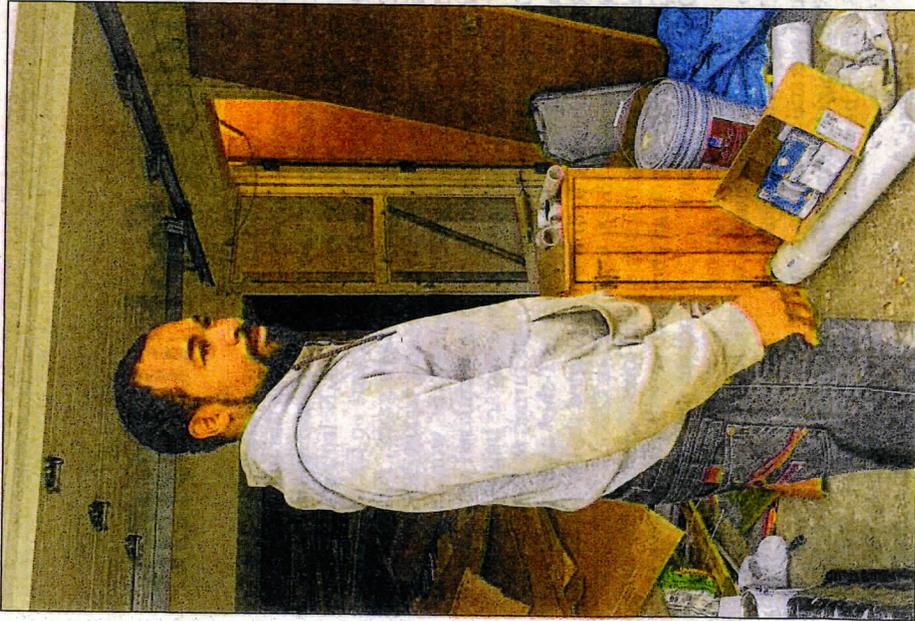
Allen spent \$4,600 in each of his final two years in office, 2010 and 2011.

Indigent defense costs and enforcing drug laws: Ohio statutes require fees for state programs, including an indigent defense fund and a crime victim's fund.

They total \$39.

Shaker Heights jailed traffic offender for a week

PLAIN DEAL
DECEMBER 14, 2015



SARA DORN
sdorn@cleveland.com

SHAKER HEIGHTS — Edward Lee Wright IV spent a week in jail in 2015 over a traffic ticket.

Wright couldn't afford the \$715 he needed to get out of jail after he was arrested for skipping out on payments and court hearings for a 2014 traffic ticket in the Shaker Heights Municipal Court.

Because of the December jail stay, the 33-year-old Cleveland resident forfeited a weekend with his three daughters and lost a much-needed truck-driving job.

"I was in a bad financial spot," he said in an interview. "The house was in foreclosure. Gas, electric, water was off. I was just down bad."

A payment plan

Here is what happened to Wright:

He was ticketed in Shaker Heights in September 2014 on a charge of driving with a license suspended due to a lapse in insurance.

He couldn't afford to immediately pay the \$375

ticket, so Shaker Heights Municipal Court Judge K.J. Montgomery agreed he could pay \$50 per month until his debt was satisfied. Wright also had the option of showing up at the Shaker Heights Municipal Court on the dates his payments were due if he could not afford to pay.

Shaker Heights gave Wright a printout of when his payments were due when the court set up his payment plan, but it never sent reminders — a policy the court has since revised — and he forgot to send money in December 2014 and again in January 2015.

The court issued a warrant for his arrest the following month.

Off to Solon jail

Wright was in Cleveland paying off a separate traffic ticket when Cleveland court officials notified Shaker Heights that Wright was at the Justice Center. Shaker Heights police drove to Cleveland and took Wright to the Solon jail on Dec. 14.

Shaker Heights charged \$100 to issue the warrant, a \$165 collection fee, a \$25 fee

to issue a registration block on Wright's license, \$25 to start a payment plan and \$25 for summoning him to court. By the time Wright was arrested in December, he owed \$715.

Solon police, who operate a jail for the city of Shaker Heights and other suburbs, would not release Wright unless he paid \$715 to cover the outstanding ticket, or deposited \$1,100 for bail, an amount set according to a list of charges and associated bail amounts predetermined by Shaker Heights Judge Montgomery.

Instead of working to earn money to pay off his court debts and get his license reinstated, Wright sat in the Solon jail for seven days. He spent his time watching TV and eating "horrible food."

He said he had to sleep on a floor some nights because the facility was crowded, a fact confirmed by Solon jail records.

His day in court

Wright finally got his day in court on Dec. 21.

He pleaded no contest to a new charge of contempt of court for skipping out on his

court payments and hearings. An acting judge filling in for Montgomery released him and gave him a credit of \$350 toward his court costs and fines for his jail stay.

Montgomery said in an interview that her court has changed its policies since Wright's arrest so that people arrested for failing to make a payment or showing up for a payment hearing is released the same day they are brought to jail as long as they complete a financial form to show how much they can afford to pay per month.

The court also began sending reminders this summer telling people they have a payment coming up, as well as notices reminding them when they miss a payment.

"It's not necessarily right," Montgomery said about Wright's jail stay, but the "press of business" prevented the court from seeing him sooner. "When you're slammed with 180 cases on a Monday and 180 cases on a Tuesday ...

"There may have been a jury or some other court business that prevented him from being seen sooner, but I don't have reason to believe there was."

SARA DORN | CLEVELAND.COM

Edward Lee Wright IV spent a week in jail in December because he could not afford the \$715 for bail when he was arrested for missing court dates and payments in December.

'Courting Justice'

Judicial panel's discussion examines effect of fines, bail

PETER KROUSE
pkrouse@cleveland.com

Talk show host Tavis Smiley was in Cleveland on Thursday to host a forum, "Courting Justice," that highlighted, among other things, the harmful effect that the high cost of fines, fees and bail has on the criminal justice system.

He filmed two shows before a live audience at WVIZ/PBS ideastream. His panel included Ohio Supreme Court Chief Justice Maureen O'Connor, Cleveland Municipal Court Administrative Judge Ronald Adrine, Lakewood Municipal Court Judge Pat Carroll and former Ohio Supreme Court Justice Yvette McGee Brown.

The City Club of Cleveland and ideastream co-hosted the forum along with Smiley. The show will air on Dec. 13 and 14 at 11:30 p.m. on public television.

Here are 10 takeaways from the shows.

1. When asked about the lack of diversity on some juries, O'Connor said the pool of prospective jurors must be diverse and in Ohio that pool comes from the voter rolls. She said it was imperative for people of all races to register to vote and to respond to their call to jury duty.

She also said attorneys for the prosecution and defense are not allowed to use race as a reason for eliminating a



PETER KROUSE | CLEVELAND.COM

Cleveland Municipal Court Administrative Judge Ronald Adrine appears on a screen at WVIZ/PBS Ideastream studios in Cleveland. He was part of a discussion on criminal justice hosted by Tavis Smiley.

prospective juror.

2. O'Connor acknowledged that people of color are disproportionately harmed by fines, fees and bail, but that Ohio is making efforts to address the problem.

3. Brown said court costs have only become an issue recently because judicial benches have become more diverse with judges who understand how burdensome a \$100 fine can be to somebody who only earns \$7 an hour.

4. Adrine said that defendants who are low income and who pose little risk to the public are "absolutely being preyed upon" when they are jailed while waiting for their cases to be resolved.

5. Carroll said jail should be reserved for people who

are a danger or perhaps need watching because of a drug addiction. "It's not a collection agency," he said. He called the jail "a scarce resource."

6. Brown said judges need to be "intentional" about setting bail and not influenced by bondsmen or the media spotlight. She said she has seen judges set a \$1 million bond for someone who poses no risk.

7. Some of the panelists were critical of the bond schedules that are used to set bond when a court is not in session because the amounts do not take into account the risk a defendant poses. Adrine said the Cleveland Municipal Court has stopped requiring bond for people accused of

non-violent misdemeanors if they are not otherwise wanted within the court system.

8. The judges were all asked their definition of justice.

Carroll said it is when "the person who loses walks out of the courtroom knowing they were heard and listened to" and understand why they lost and felt they were treated fairly.

Brown said it was "justice tempered with mercy."

Adrine said, "It's about fundamental fairness, both real and perceived." The system is "fundamentally fair, but not always fair," he said.

9. O'Connor said a just system requires adequate funding, but that the money should not come from defendants though court costs, but rather from general revenues. Otherwise, there is a conflict of interest. The legislature should get involved, she said.

10. O'Connor talked about her mission to bring more attention to judicial elections so that people are more informed about who they are voting for.

Adrine said of how some people vote for judges: "It's almost like flipping a coin," even though the judges are invested with the power to decide if someone pays fines, goes to jail or in some cases dies.

State auditor

Yost: Some local cities near fiscal emergency

JACKIE BORCHARDT
jborchardt@cleveland.com

COLUMBUS — Akron, Ashtabula and Garfield Heights are among 10 cities showing signs they're on the road to fiscal emergency, Ohio Auditor Dave Yost said Wednesday.

Cleveland, Kirtland, Parma Heights and 12 other entities came close to making that list, according to a new "fiscal health" scoring system released Wednesday by Yost's office.

The new tool is a formulaic approach to evaluating all cities, regardless of size, based on past annual financial statements. The scores released Wednesday are based on audit reports from 2012 through 2015 and do not include fiscal information from 2016 or any recent changes, including an income tax increase in Cleveland that will bring in \$80 million a year.

Yost unveiled the scoring system in a news conference the day after filing paperwork to run for state attorney general in 2018. City and county association officials said they appreciated the analysis and it shows many local governments are still struggling to cope with the recession and reductions in state revenue streams.

Yost said the tool will help cities and counties spot weaknesses before they are placed on fiscal watch, caution or emergency and aid lawmakers who will soon craft the state's two-year budget.

"Overall, Ohio's local governments are neither as dire a condition as some would have us believe nor is the picture as rosy as some would have us believe," Yost said during the news conference.

neve, Yost said during the news conference.

Common weaknesses among cities and counties include a lack of investment in infrastructure, annual spending that exceeds revenues and declining property tax revenue. Yost pointed to the recession and cuts to state revenue streams for local governments as reasons for those weaknesses.

Yost said it would be problematic for lawmakers to further cut state aid to local governments.

"We count on local governments to carry out our policies at the state level on many occasions. It makes sense that there is some financial participation by the state as well," Yost said in an interview.

The auditor's office graded 247 cities and all 88 counties on 17 indicators of fiscal health using annual audit report data. When applied to cities already in fiscal emergency, trends and patterns emerged. Generally, the greater the number of negative indicators, the greater the risk of fiscal emergency.

Yost's office identified cities and counties with eight negative indicators out of 17 total as being in high fiscal stress. In all, 82 percent of counties and 92 percent of cities had at least one negative indicator.

Cleveland

Cleveland had seven negative indicators — two critical and five cautionary — out of 17 total.

The two areas deemed critical by Yost's office were:

- General revenues, including local taxes, don't cover expenses less program fees, income and grants.
- A negative ratio of total liabilities to net assets.

The city income tax increase begins in July and a full year's impact won't appear in audit reports until 2018.