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CLEVELAND IMPACT CITIES PROGRAM

ADJUDICATION OPERATING PROGRAM

EVALUATION REPORT

March 1974

L. L. HOLMES

*Mar 27 1974*

**RECEIVED**

**OFFICE OF THE MAYOR  
IMPACT CITIES  
ANTI-CRIME PROGRAM**

RALPH J. PERK  
MAYOR

RICHARD L. BOYLAN  
DIRECTOR

**372-16**



EVALUATION REPORT  
ADJUDICATION OPERATING PROGRAM  
CLEVELAND IMPACT CITIES PROGRAM

NCJRS

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ACQUISITIONS

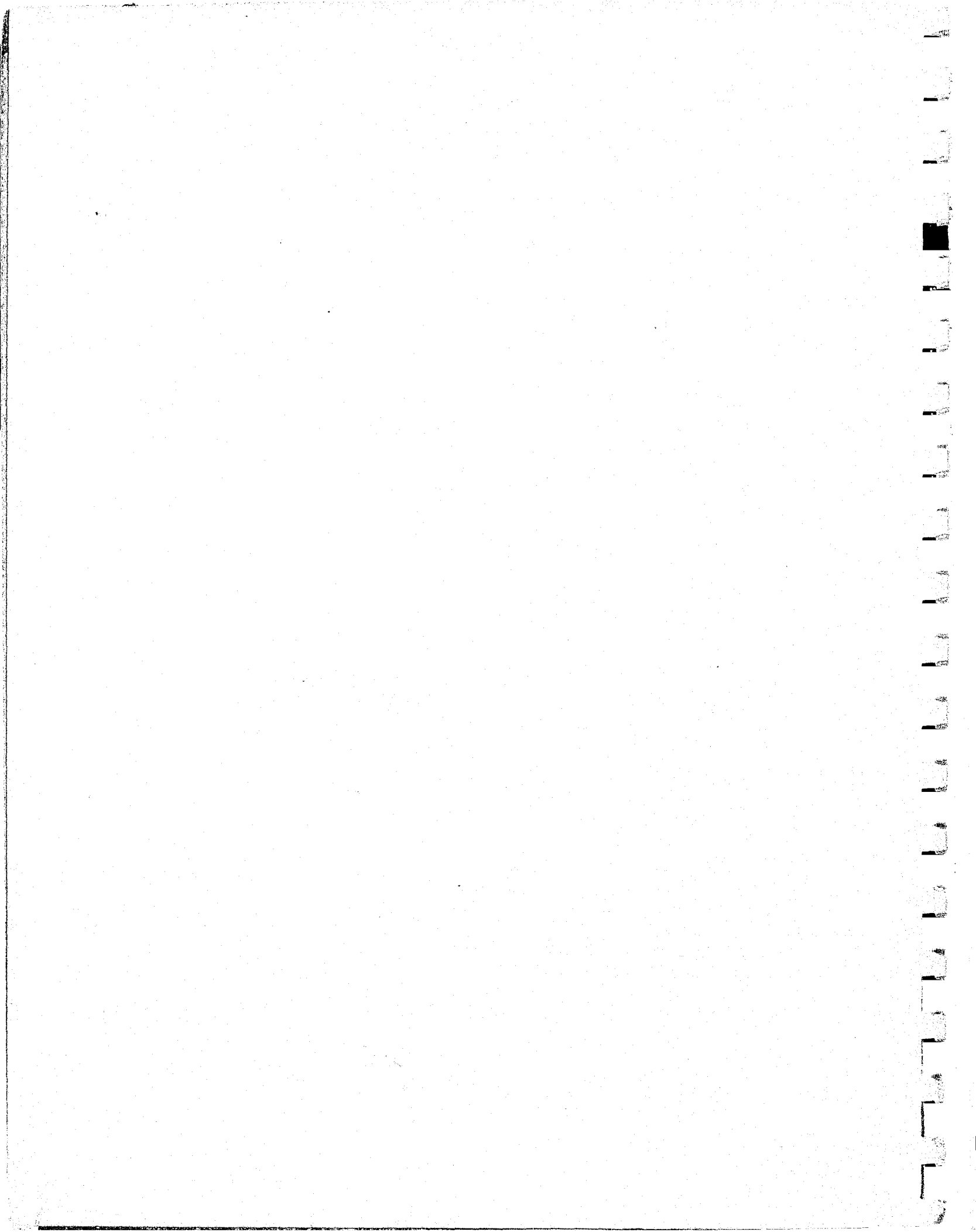


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 EVALUATION REPORT

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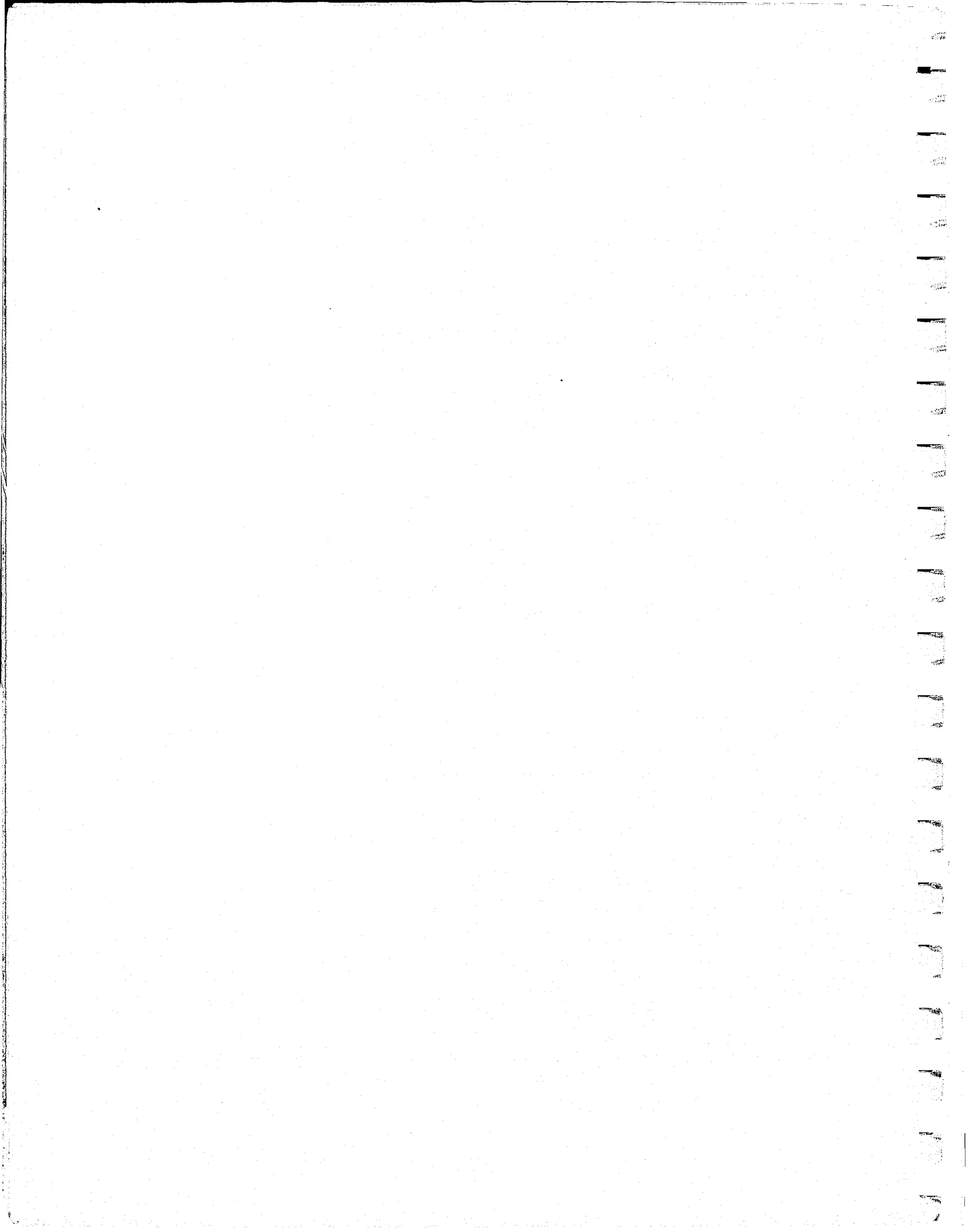
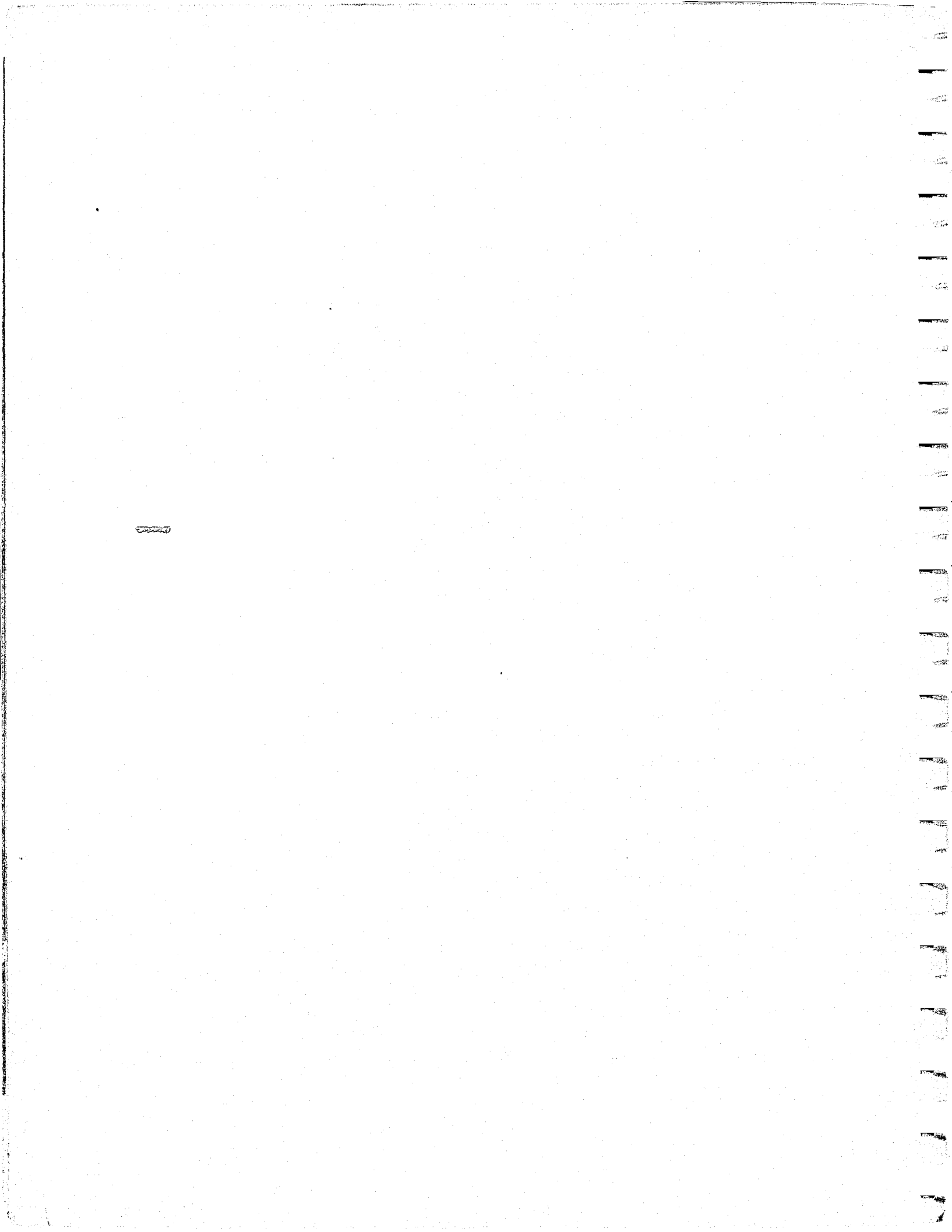


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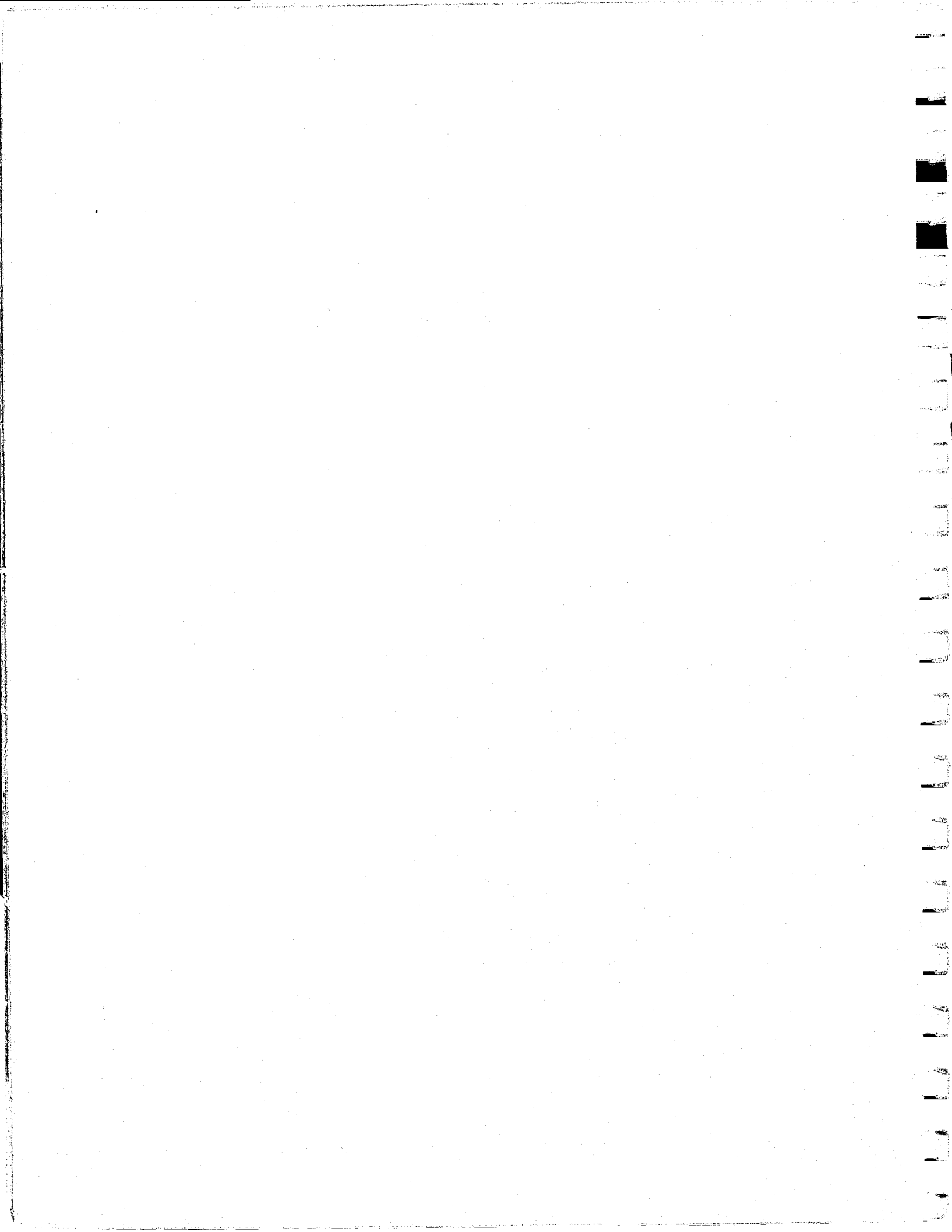
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## SECTION 1

### INTRODUCTION AND BACKGROUND

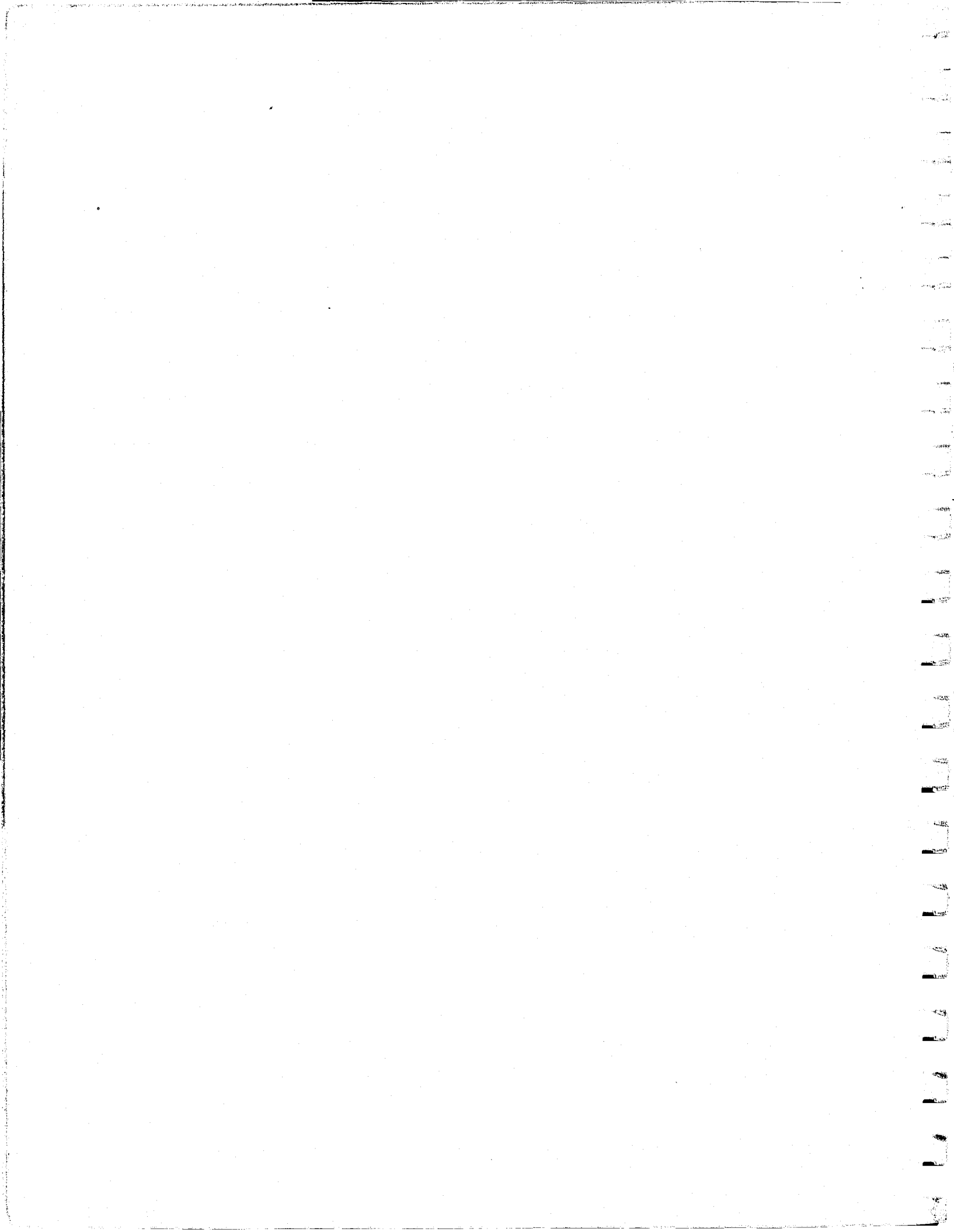
#### 1.1 OPERATING PROGRAM OVERVIEW

The Cleveland IMPACT Cities Program is an intensive planning and action effort designed to reduce the incidence of stranger-to-stranger crime\* and burglary in the City by five percent in two years and 20 percent in five years. The basic assumption underlying the IMPACT program is that specific crimes and people who commit them constitute the problem to be addressed. As a consequence, program and project development has been based upon an analysis of local crime, offender background, victimization, demographic, and environmental data within specific target areas of the City. Application of this approach resulted in a program structure consisting of five major Operating Programs: Addiction Treatment; Employment; Diversion and Rehabilitation; Deterrence, Detection, and Apprehension; and Adjudication.

Figure 1-1 depicts the hierarchical program structure and indicates the projects which are operational. The figure also shows the various projects as they relate to the Performance Management System (PMS) structure of the ultimate goal, four sublevel goals, five Operating Programs, and thirty-five projects. The PMS structure was developed

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\* Stranger-to-stranger crimes of interest to IMPACT are homicides, rapes, aggravated assaults, and robberies, as defined by the FBI's Uniform Crime Reporting standards, when such crimes do not occur among relatives, friends, or persons well known to each other.



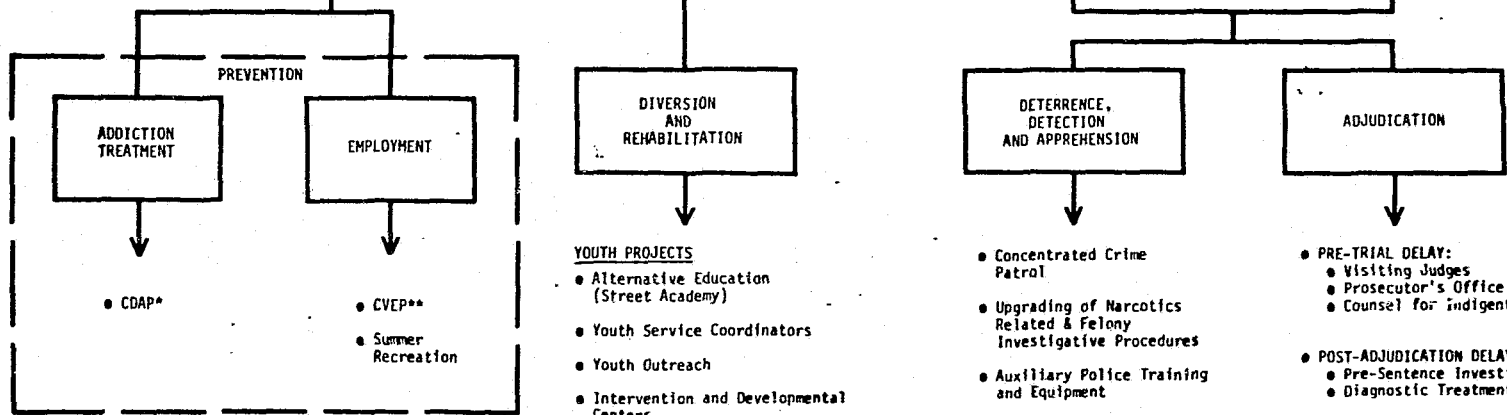
ULTIMATE GOAL

REDUCE STRANGER-TO-STRANGER CRIME AND BURGLARY  
5% IN 2 YEARS  
20% IN 5 YEARS

SUB-LEVEL PROGRAM GOALS



OPERATING PROGRAMS

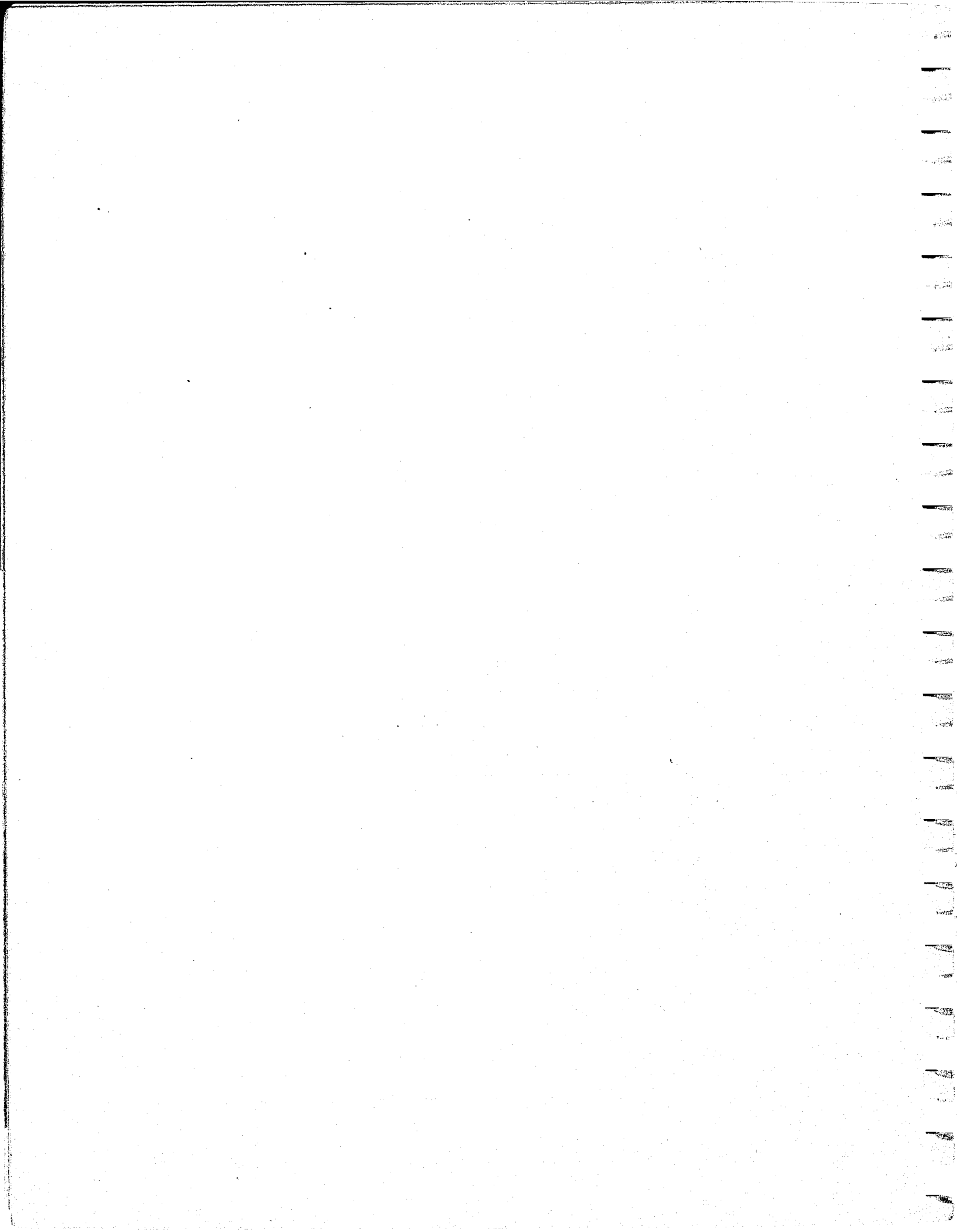


PROJECTS AND/OR ACTIVITIES

- PREVENTION**
- CDAP\*
  - CVEP\*\*
  - Summer Recreation
- YOUTH PROJECTS**
- Alternative Education (Street Academy)
  - Youth Service Coordinators
  - Youth Outreach
  - Intervention and Developmental Centers
  - Police Athletic League
  - Cleveland Youth Assistance
  - Juvenile Court Development
- CORRECTIONAL PROJECTS**
- Comprehensive Corrections Unit
  - Group Homes
  - Community-Based Probation
  - Adult Parole Post-Release (Seven Step)
  - Institutional Post-Release Aftercare
  - Probationary Post-Release
  - Community-Based Supplemental Services
  - Boys' Club Post-Release
  - Big Brothers/Project Friendship Post-Release Follow-Up
  - Cleveland Pre-Trial Rehabilitation\*\*\*
- DETERRENCE, DETECTION AND APPREHENSION**
- Concentrated Crime Patrol
  - Upgrading of Narcotics Related & Felony Investigative Procedures
  - Auxiliary Police Training and Equipment
  - Expansion of Police Outreach Centers
  - Public Information
  - Cleveland IMPACT Neighborhood Patrol
  - IMPACT Response Time Reduction
  - IMPACT Security Escort Patrol for the Elderly
  - IMPACT Streetlighting
  - IMPACT Awareness
- ADJUDICATION**
- PRE-TRIAL DELAY:
    - Visiting Judges
    - Prosecutor's Office
    - Counsel for indigents
  - POST-ADJUDICATION DELAY:
    - Pre-Sentence Investigation
    - Diagnostic Treatment Profile
  - COURT OFFENDER REHABILITATION

\*Cleveland Drug Abuse Program  
 \*\*Cleveland Vocational Educational Program  
 \*\*\*Note: A grant application has been submitted and LEAA approval is pending.

FIGURE 1-1  
CLEVELAND IMPACT CITIES PROGRAM STRUCTURE



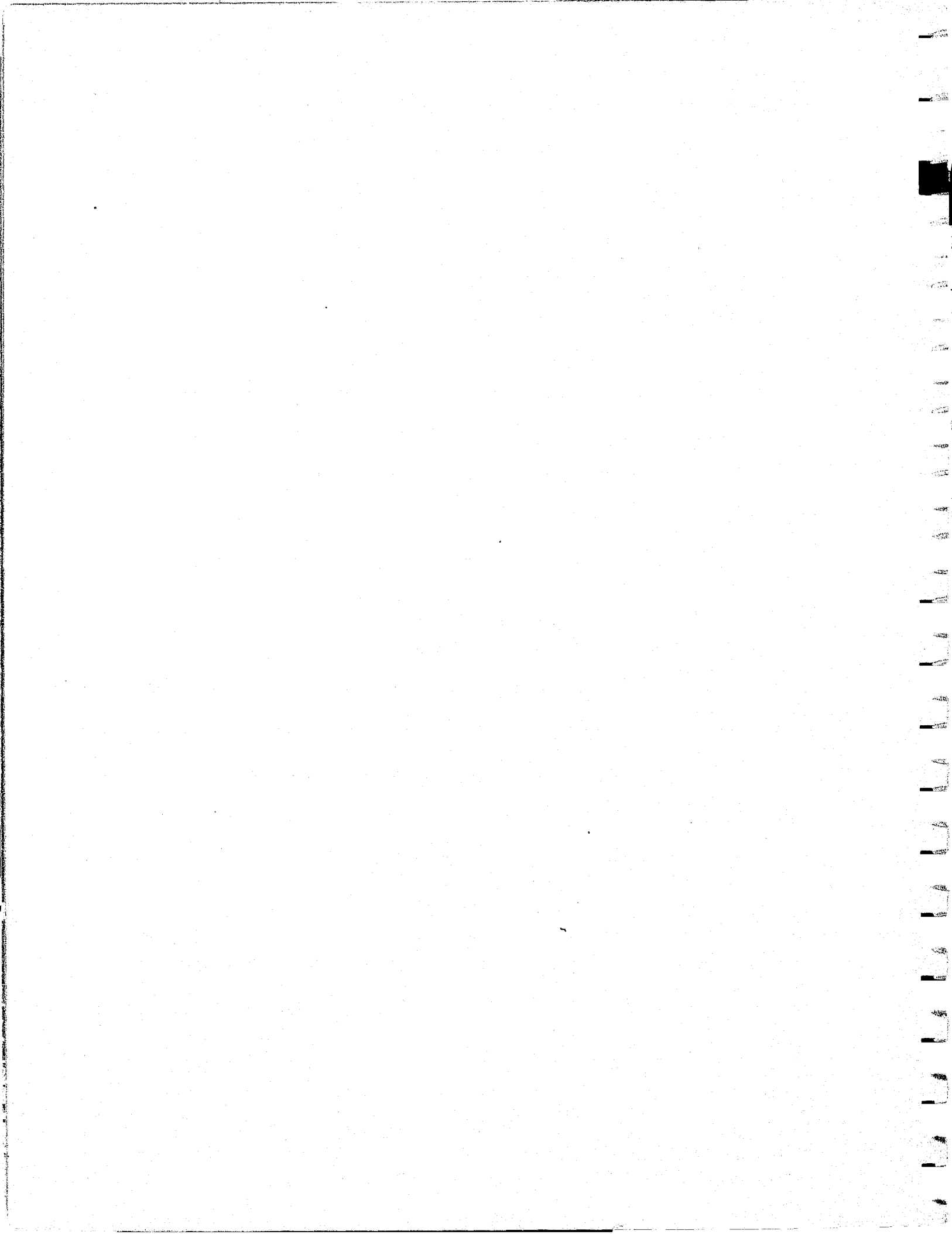
to permit reliable and accurate evaluative measurement of program/project effectiveness and efficiency with reference to the ultimate goal, the sublevel program goals, and specific project objectives. All of these measures and objectives were set forth in detail in the Cleveland IMPACT Cities Program EVALUATION COMPONENT, a technical document published in June 1973.

The scope of this report is the evaluation of the Adjudication Operating Program. The Adjudication Operating Program consists of the Pre-Trial and Post-Adjudication Delay Reduction Project and the Cleveland Offender Rehabilitation Project (CORP). The former project operates in the Court of Common Pleas of Cuyahoga County, the County Prosecutor's Office, the Legal Aid Society of Cleveland, and the County Probation Department. The latter project, CORP, operates principally in the Cleveland Municipal Court.\* The Pre-Trial and Post-Adjudication project includes a visiting judges component, a prosecutor's office component, a counsel-for-the-indigent component, a pre-sentence investigation component, and a diagnostic treatment profile component. Figure 1-2 illustrates the relationship of the activities and components of the Adjudication Operating Program.

An hypothesis central to the Adjudication Program is that swift and sure processing in the courts will maximize the risk to potential offenders and will deter potential offenders who are aware of the high probabilities of apprehension, vigorous prosecution, and conviction.

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\* The municipal court for Cleveland is the Cleveland Municipal Court District, which also serves the Village of Bratenahl. The individuals served by CORP are the Cleveland defendants only.





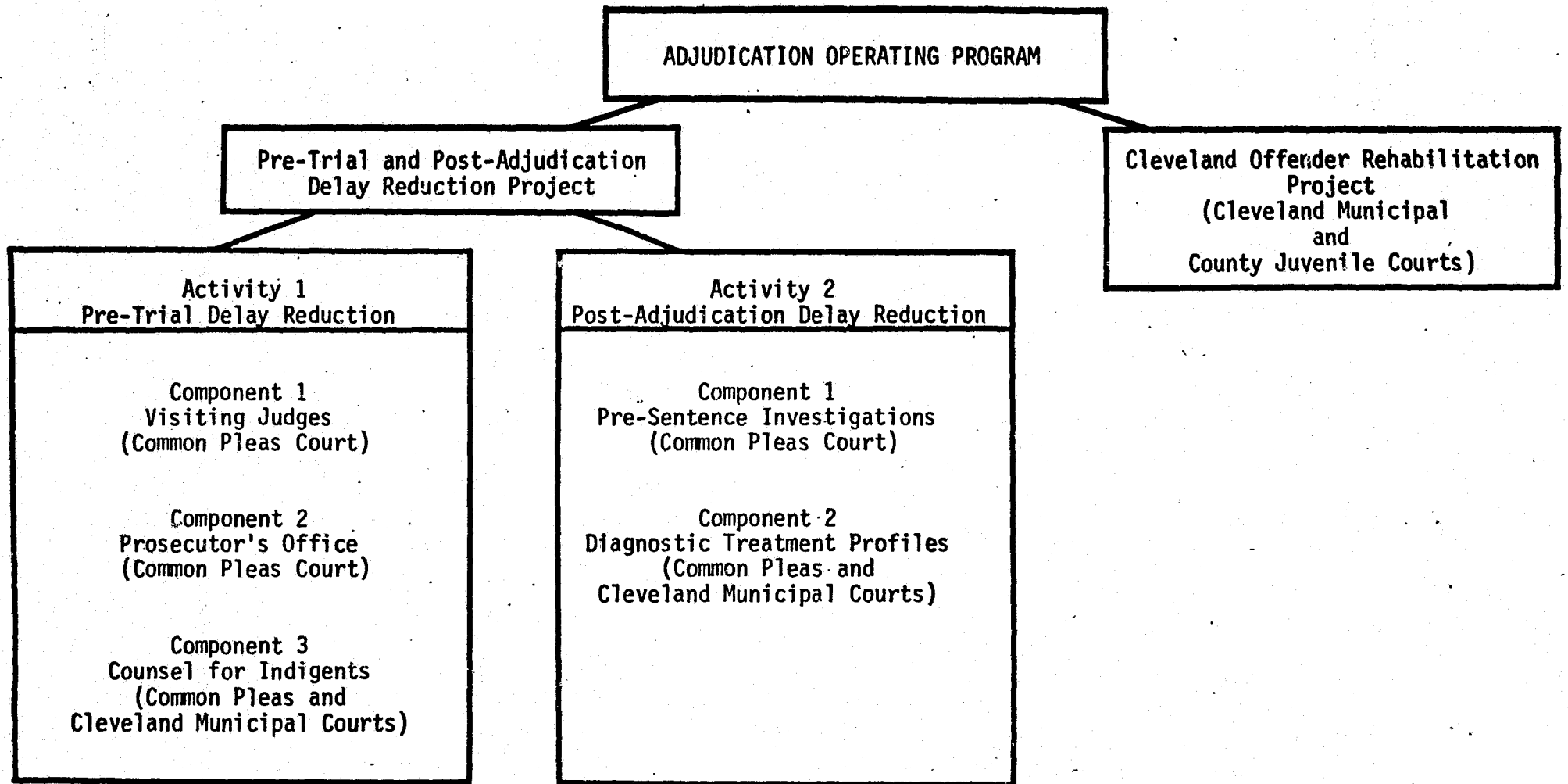
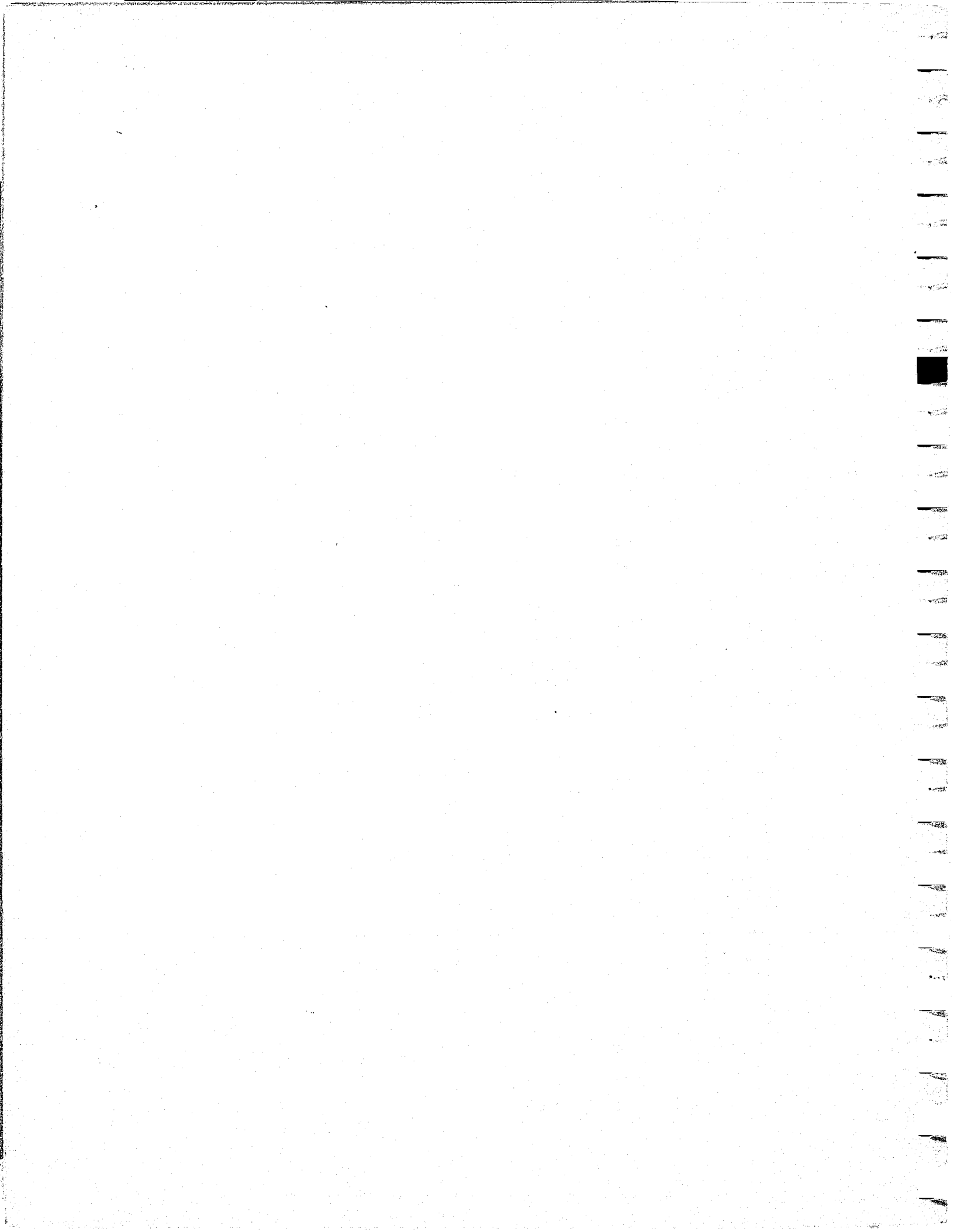


FIGURE 1-2

COMPONENT RELATIONSHIPS  
ADJUDICATION OPERATING PROGRAM



The efforts subsumed under the Adjudication Operating Program seek to accomplish three principal objectives:

- (1) Reduce the time a defendant spends awaiting trial, consistent with (a) the speedy trial provisions of the Sixth Amendment and the Ohio Rules of Criminal Procedure, Crim. R. 4, 5, and 7, and (b) the due process provisions of the Fifth and Fourteenth Amendments and the Supreme Court's ruling in Argersinger v. Hamlin, 407 U.S. 25 (1972);
- (2) Reduce the time a convicted defendant spends awaiting sentencing, consistent with the provisions of the Fifth, Sixth, and Fourteenth Amendments, and Crim. R. 4, 5, 32, 32.2, 34, and 46; and
- (3) Divert selected offenders at the municipal court level from further criminal justice processing.

## 1.2 PROJECT OVERVIEWS

The Adjudication Operating Program was initially funded from two Discretionary Grant applications, one for the Pre-Trial and Post-Adjudication Delay Reduction Project, and one for the Cleveland Offender Rehabilitation Project. Table 1-1 summarizes the goals, objectives, and methods stated in these two applications. One Grant Adjustment Notice (GAN) was filed and approved to add a staff position for a social worker to counsel and advise defendants and their families for the Legal Aid Society of Cleveland.

### 1.2.1 TARGET POPULATION DEFINITION

The two projects in the Adjudication Operating Program serve different target populations. The Pre-Trial and Post-Adjudication Delay Reduction Project operates in the Court of Common Pleas of Cuyahoga

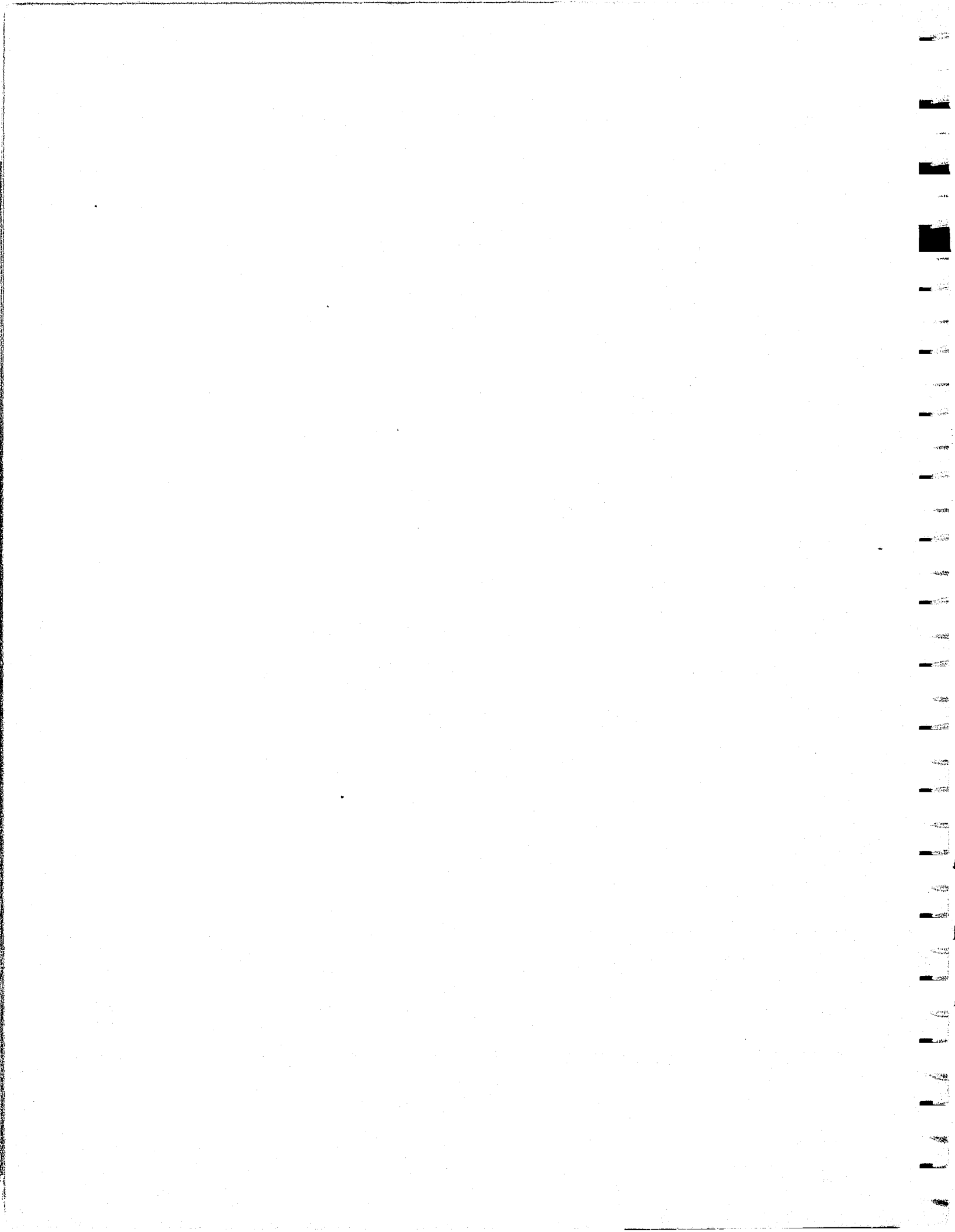


TABLE 1-1

ADJUDICATION OPERATING PROGRAM COMPONENT GOALS, OBJECTIVES, AND METHODS  
 (Source: Project Discretionary Grant Applications)

DISCRETIONARY GRANT APPLICATION	PROGRAM COMPONENT	GOAL/OBJECTIVE	METHOD OF ACCOMPLISHMENT
"Pre-Trial Delay" (Activity 1)		Reduce time between arrest and disposition	Visiting Judges, additional Prosecutors, Counsel for Indigent
	Component 1, Visiting Judges	Reduce delay in adjudication of IMPACT defendants, reduce Common Pleas Court criminal case backlog, dispose of 150 to 200 cases per month	<ul style="list-style-type: none"> <li>● Six Visiting Judge positions, Judges supplied by Ohio Supreme Court, reimbursed by IMPACT</li> <li>● Visiting Judge support personnel, hired locally</li> <li>● Double-shift use of courtrooms</li> </ul>
	Component 2, County Prosecutors	Reduce delay in prosecution of IMPACT cases before Visiting Judges, assist Visiting Judges in disposition of 150 to 200 cases per month	<ul style="list-style-type: none"> <li>● Hire nine Assistant County Prosecutors (ACP) and support personnel</li> <li>● Assign ACP to each Visiting Judge courtroom</li> <li>● Prepare cases for prosecution before Visiting Judges and Grand Jury</li> </ul>
	Component 3, Counsel for the Indigent	Provide representation for 1,302 indigent IMPACT defendants	<ul style="list-style-type: none"> <li>● Hire eight attorneys and support personnel</li> <li>● Screen cases, represent IMPACT defendants in Cleveland Municipal Court</li> <li>● Represent IMPACT defendants in Common Pleas Court</li> </ul>
"Pre-Trial Delay" (Activity 2)		Reduce time between conviction and sentencing, place convicted offenders into proper corrective programs	Probation Officers, Psychiatric/Psychological testing and evaluation

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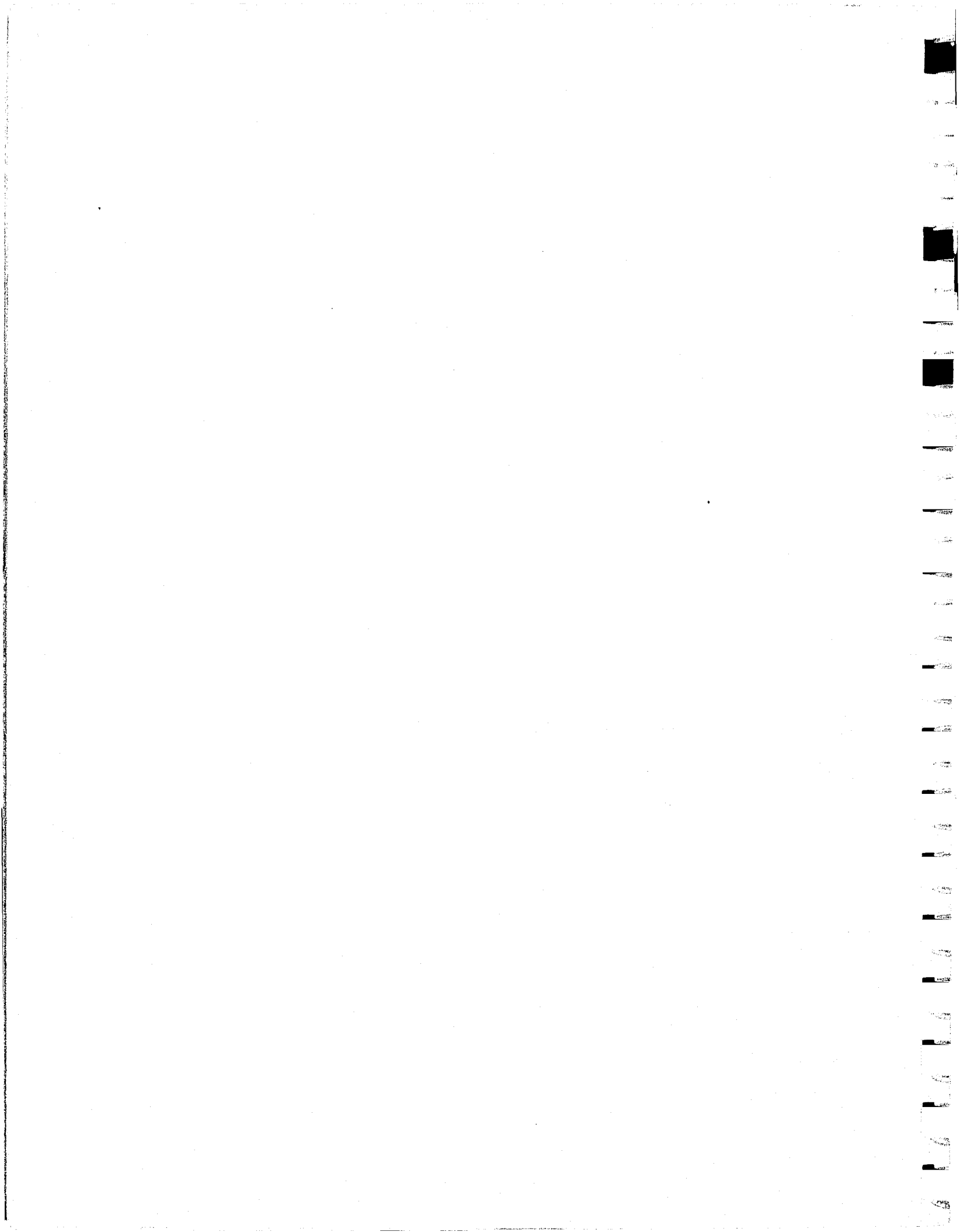
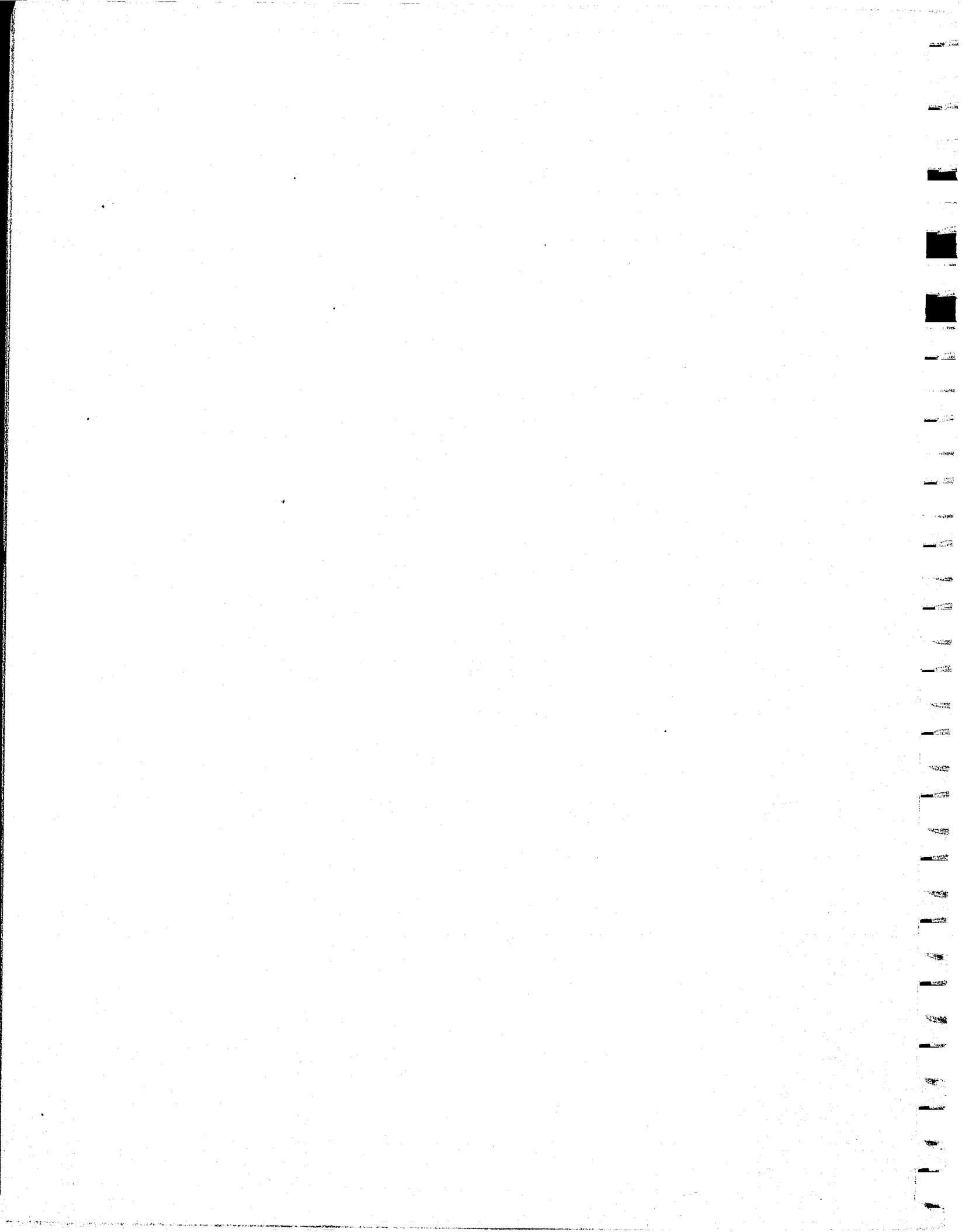


TABLE 1-1 (Continued)

DISCRETIONARY GRANT APPLICATION	PROGRAM COMPONENT	GOAL/OBJECTIVE	METHOD OF ACCOMPLISHMENT
"Pre-Trial Delay" Activity 2 (Continued)	Component 1, Pre-Sentence Investigations	Eliminate delay in preparing Pre-Sentence Investigations on convicted Visiting Judge case defendants	<ul style="list-style-type: none"> <li>● Hire five County Probation Officers and support personnel</li> <li>● Utilize "short-form" pre-sentence investigation reports</li> <li>● Complete pre-sentence reports on Visiting Judge cases prior to pleadings</li> <li>● Complete 17 pre-sentence investigations per Officer per month</li> <li>● Utilize existing Officers to complete an additional 85 to 150 pre-sentence investigations per month</li> </ul>
	Component 2, Diagnostic Treatment Profiles	Recommend placement of offenders into correctional and/or treatment programs, assist the Probation Officers in preparing Pre-Sentence Investigations on convicted Visiting Judge case defendants, prepare professional assessments of needs/treatment modalities on 50 defendants per month	<ul style="list-style-type: none"> <li>● Hire psychological and psychiatric professionals</li> <li>● Interview and test defendants</li> <li>● Prepare diagnostic profiles</li> <li>● Recommend treatment modalities</li> </ul>
"Cleveland Offender Rehabilitation Project" (CORP)		Reduce recidivism of CORP clients by diverting juvenile offenders charged with either misdemeanor or felony offenses from Juvenile Court and by diverting young adult offenders charged with misdemeanors from Municipal Court, obtain dismissal of criminal charges for successfully diverted CORP clients, deliver CORP services to 500 members of the target population	<ul style="list-style-type: none"> <li>● Assume CORP structure and function initiated under U.S. Department of Labor (Manpower Administration) grant</li> <li>● Screen eligible first-offenders at Court intake</li> <li>● Provide counseling, educational/vocational training, and job placement appropriate to client</li> <li>● Review client progress</li> <li>● Recommend dismissal of charges for successful clients</li> </ul>





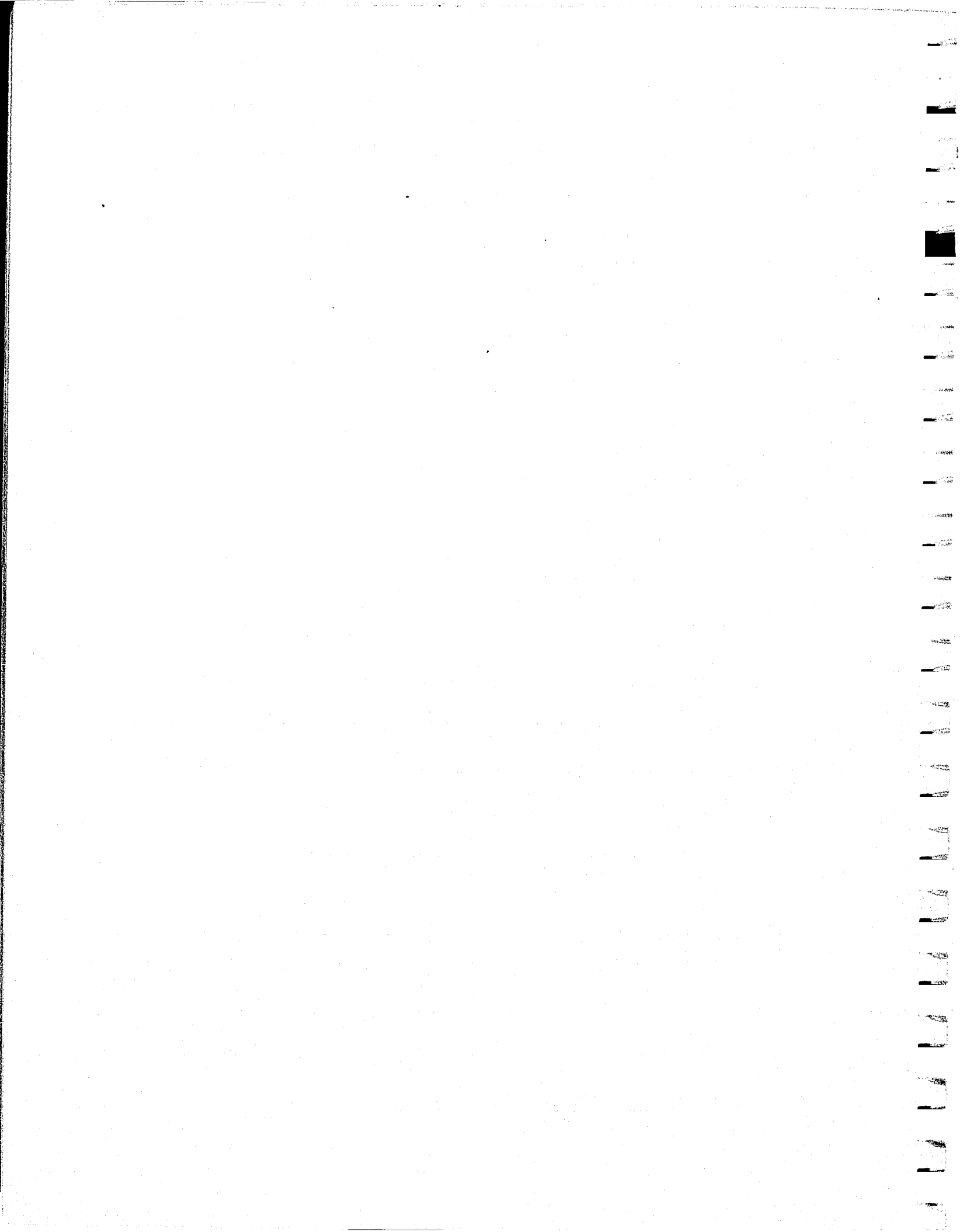
County. The target population consists of felony defendants in criminal cases. Because the Court of Common Pleas is a court of general jurisdiction and is a countywide court, these defendants need not (1) reside in Cleveland, (2) have allegedly committed a crime in Cleveland, (3) have been arrested in Cleveland, (4) have been arrested by the Cleveland Police Department, or (5) have had initial court contact with the Cleveland Municipal Court. The data indicate, however, that 64 percent of the Common Pleas defendants in 1973 were arrested in Cleveland by the Cleveland Police Department. \*

The grant application indicated that the defendants affected by the five Delay Reduction components would be IMPACT crime defendants only. The Project Staff and IMPACT Planning and Evaluation personnel developed an operational definition of IMPACT as opposed to non-IMPACT cases and defendants. That definition is: IMPACT cases are those in which at least one charge is for the alleged commission of an IMPACT offense; non-IMPACT cases are those in which no charge is for the alleged commission of an IMPACT offense. This definition sufficed for the screening and administrative tasks performed for the Project in the Common Pleas Court Central Scheduling Office.

The Delay Reduction Project's target population in 1973 was drawn from the Common Pleas defendants. Charge data was available on 5,248

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\* The derivation and source of this figure are discussed in detail in Section II, Performance Results.

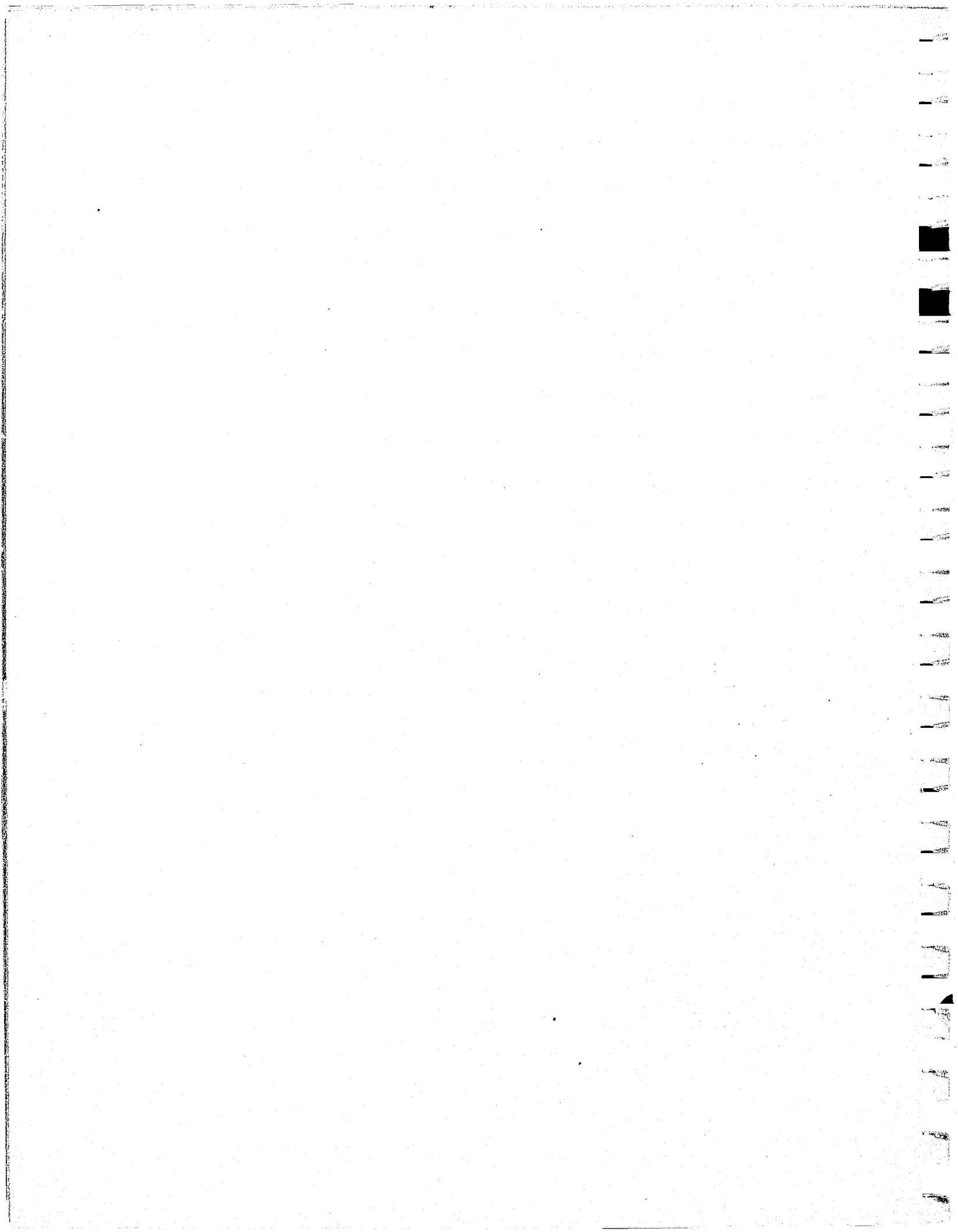


of these defendants, including 1,595 "IMPACT defendants;" the remainder are "non-IMPACT defendants" tried on all other felony charges. In 1973, the visiting judges tried 530 defendants, representing 655 cases.\* Due to the impracticalities of submitting only IMPACT cases to the visiting judges, during 1973 these judges heard felony cases of all types when the cases were ready to go to the judge or to trial. Of all the cases heard by the visiting judges, 48 percent were IMPACT cases and 50 percent were IMPACT defendants, i. e., at least one charge in nearly half of the cases and for half of the defendants was an IMPACT charge. Visiting judge and associated prosecutorial and defender personnel resources were applied to felony cases "across the board" whenever a case was ready to be heard. This flexibility has permitted the Pre-Trial Activity to affect the entire Common Pleas Court criminal case backlog and delay rather than the backlog and delay of IMPACT cases only.

The remainder of the Delay Reduction Project components' target populations are essentially similar to the Visiting Judges defendant population. The County Prosecutor's Offices presented the people's case before the visiting judges. The Legal Aid Society Defender's Office interviewed, screened, and represented indigents at preliminary hearing in Cleveland Municipal Court, and represented clients as assigned by

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\* The Post-Adjudication Delay clients were drawn from those defendants convicted in the visiting judges' courtrooms.



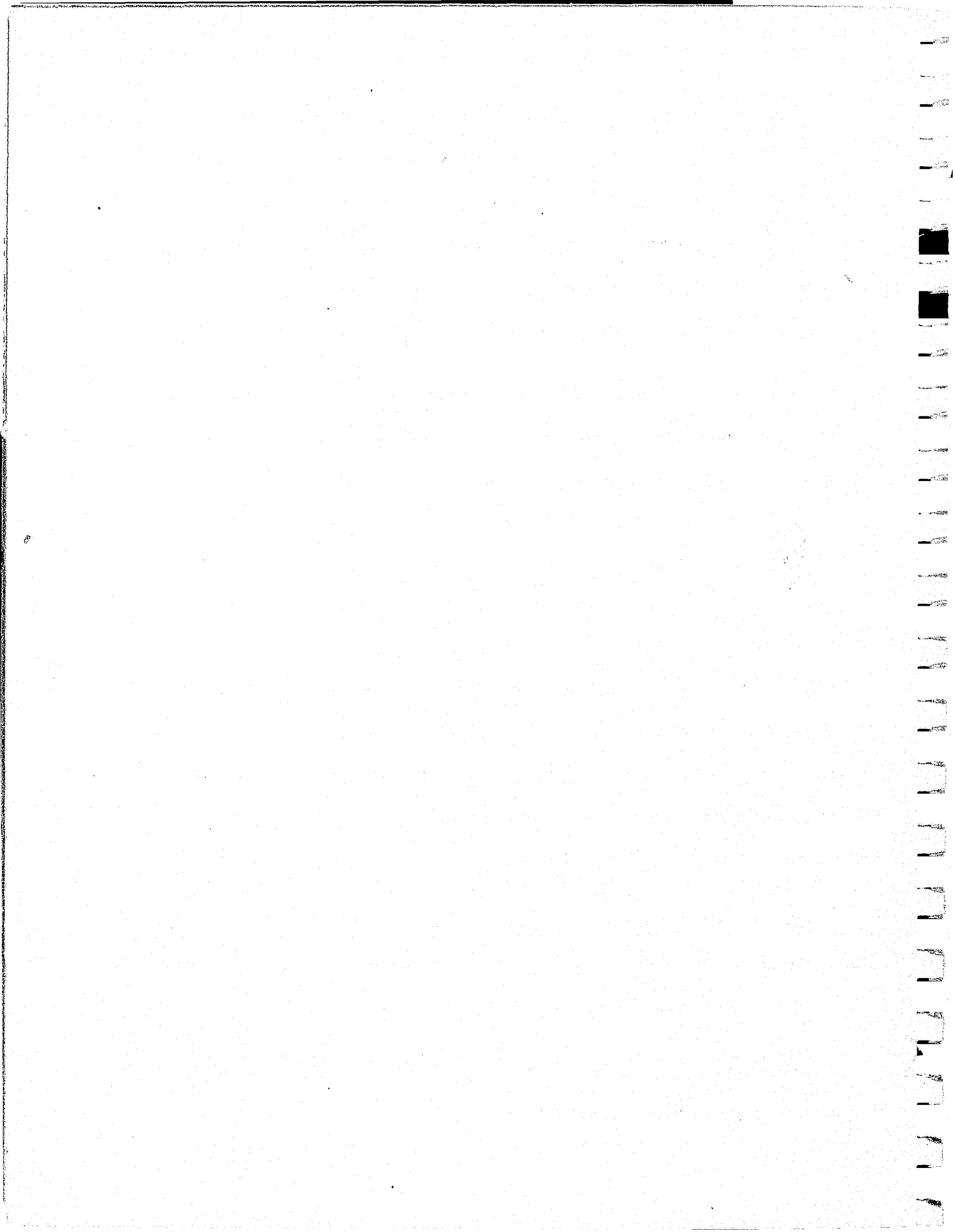
the original and/or visiting judges on the Common Pleas bench.\* The County Probation Department undertook pre-sentence investigation of all defendants convicted in the visiting judges' courtrooms who were "Referred to Probation." The Psychiatric Clinic prepared diagnostic treatment profiles on individuals referred from the Probation Department. This flow of cases/defendants is described more fully in Section II.

The Cleveland Offender Rehabilitation Project (CORP) screens potential clients for intake at Cleveland Municipal Court and Cuyahoga County Court of Common Pleas Juvenile Court Division. Through December 31, 1973, 85 percent of the 631 CORP intake referrals have been from the Municipal Court. CORP clients have a criminal history which may include IMPACT arrests and/or convictions; they have been arrested for misdemeanors or juvenile offenses; they can benefit from CORP's counseling, referral, and placement services; and there is a high probability that further criminal involvement can be prevented. The client's personal background, employment history, motivation, and criminal record play an important part in the Project's approach to delivery of services to the client.

At the end of 1973, CORP had established client referral arrangements with three of the four principal courts in Cleveland which have jurisdiction in CORP's programmatic field: Juvenile Court Division, Cuyahoga County

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\* Through its screening/interviewing and initial case investigations, the Defender's Office attempted to include only stranger-to-stranger IMPACT crimes in its IMPACT caseload.



Court of Common Pleas; Cleveland Municipal Court District; and United States District Court, Northern District of Ohio. Negotiations for referral of potential clients from the fourth court, the Cuyahoga County Court of Common Pleas, General Division, are described by CORP personnel as "stalled." Project personnel had expected referrals from the U. S. District Court beginning in September, 1973; however, as of December 31, 1973, no defendants or potential clients had been referred to CORP by the District Court.

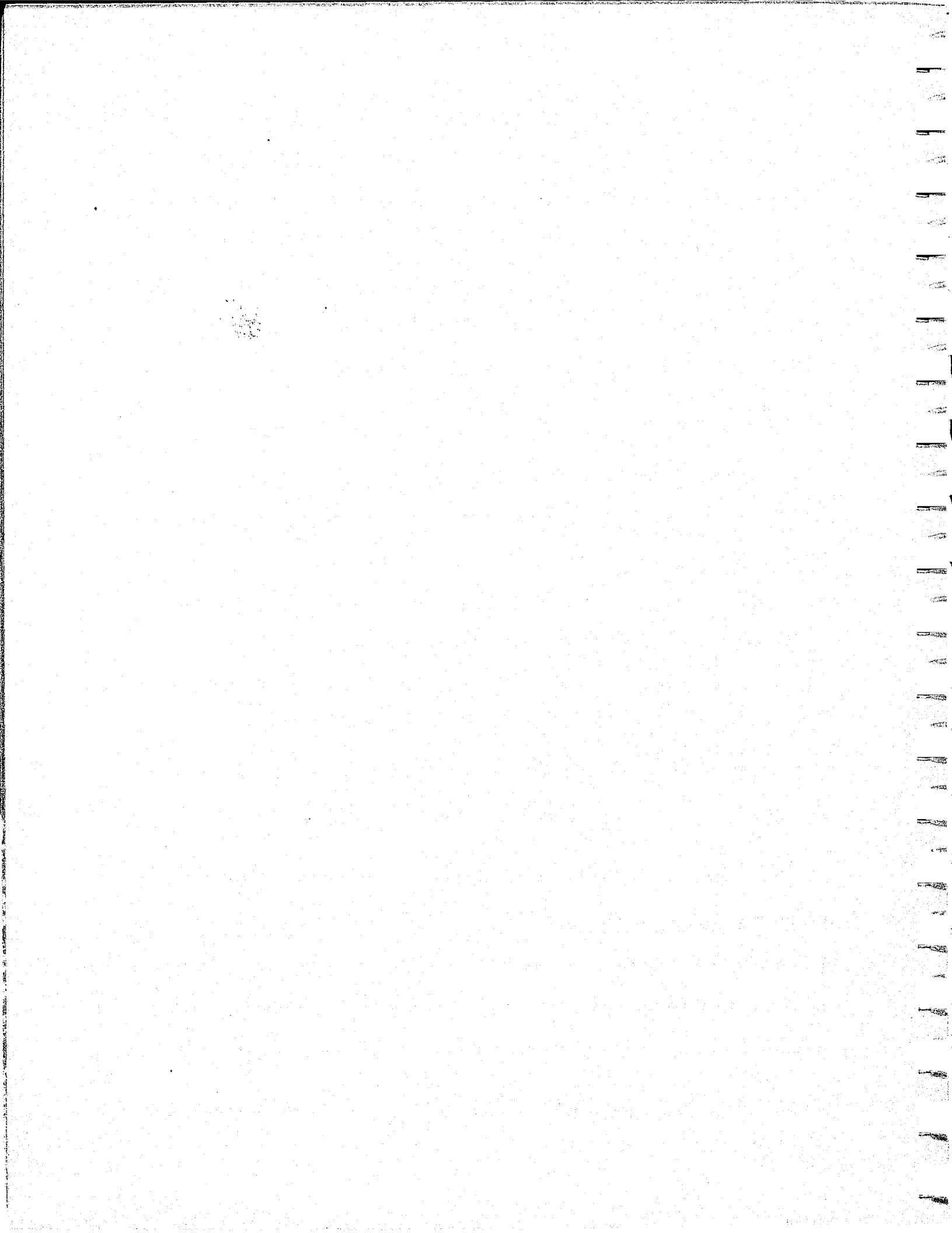
### 1.2.2 IMPACT CRIME DEFINITION

The interpretation of "IMPACT crime" by each implementing agency affects the evaluation of the agency's performance with respect to IMPACT funding. Project staff members, through professional experience and personal bias, tend to classify crime types differently. These classifications are reflected in the agency's periodic reporting to IMPACT and to LEAA. The classifications also influence the type and quantity of clients which the project/agency accepts for service, passes on to other projects/agencies, or terminates based upon project operational criteria.

The crime classification utilized by the Federal Bureau of Investigation has been recommended by LEAA for use in IMPACT crime definition. Because of the volume of adjudication data maintained in the Judicial Information System (JIS),\* the IMPACT Planning and Evaluation Staff prepared a comprehensive cross-reference of JIS charge/crime-type

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\* The JIS and its capabilities are described in greater detail in Section II, infra.

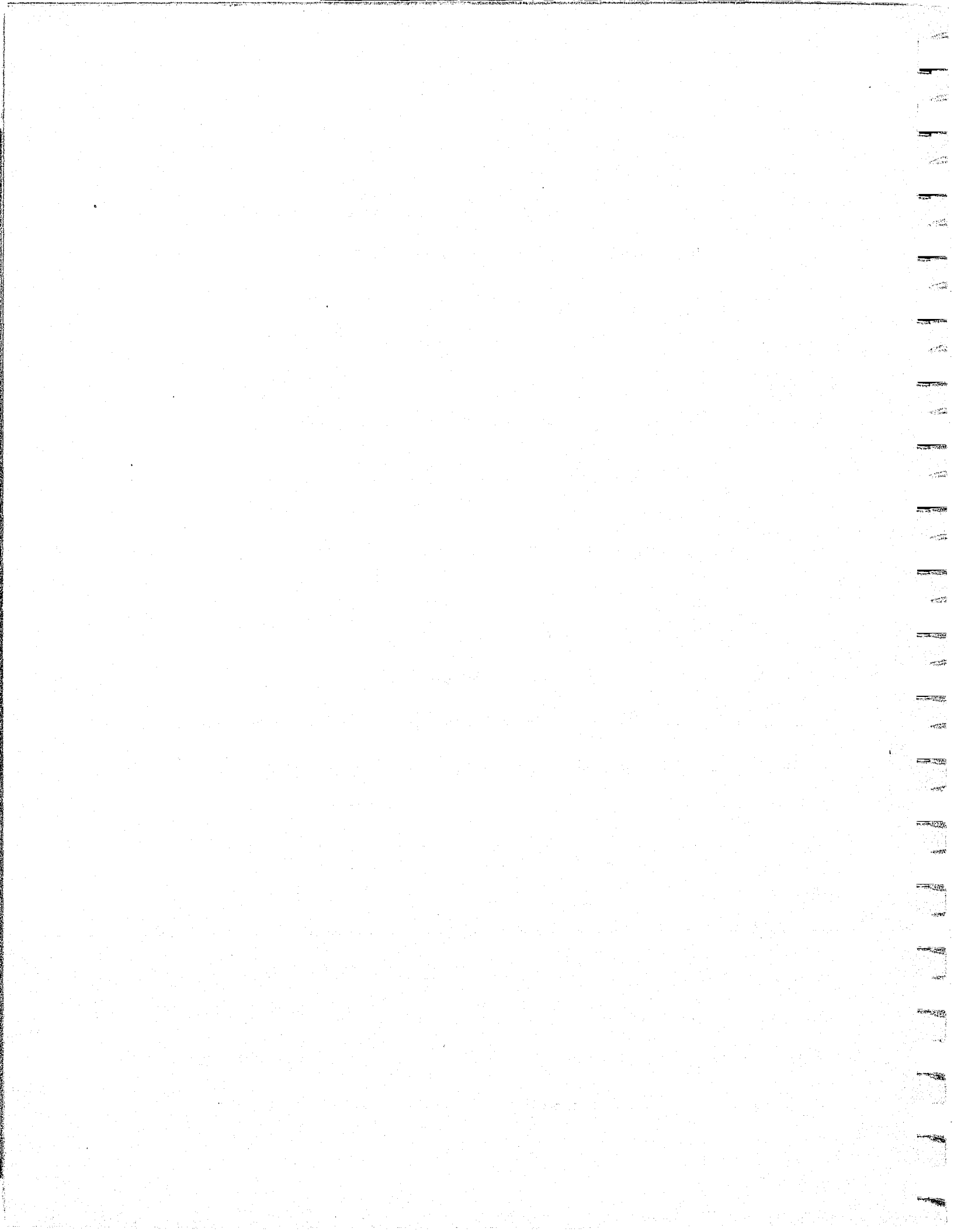




codes for use in the reduction of data for this evaluation report. This cross-reference is presented in its entirety in Appendix A. The cross-reference presents the JIS charge code, the FBI crime classification, and the applicable section of the Ohio Revised Code (ORC). Since all alleged crimes took place in 1973, and all sentences were determined in 1973 for the subject cases, the ORC sections and crime definitions in the cross-reference are not valid for the new criminal code, effective January 1, 1974. Missing from this reference is the "stranger-to-stranger" aspect; these data are not consistently recorded by the source agencies. The most feasible method for extracting this information appears to be manual inspection of the defendant's case file and/or arrest sheet.

### 1.2.3 PROJECT SUMMARIES

Activity 1, Pre-Trial Delay Reduction, seeks to accelerate the processing of defendants through the criminal courts of Cuyahoga County. Component 1, Visiting Judges, provides funds in the Common Pleas Court, General Division, and the County Sheriff's Department for six visiting judges and associated support personnel for the trial of criminal cases. Component 2, County Prosecutor's Office, provides funds to the County Prosecutor's Office for nine Assistant County Prosecutors and associated support personnel for the trial of cases before the visiting judges. Component 3, Counsel for Indigents, provides funds to the Legal Aid Society of Cleveland for eight attorneys and associated support personnel and facilities for the representation of indigent defendants in Cleveland



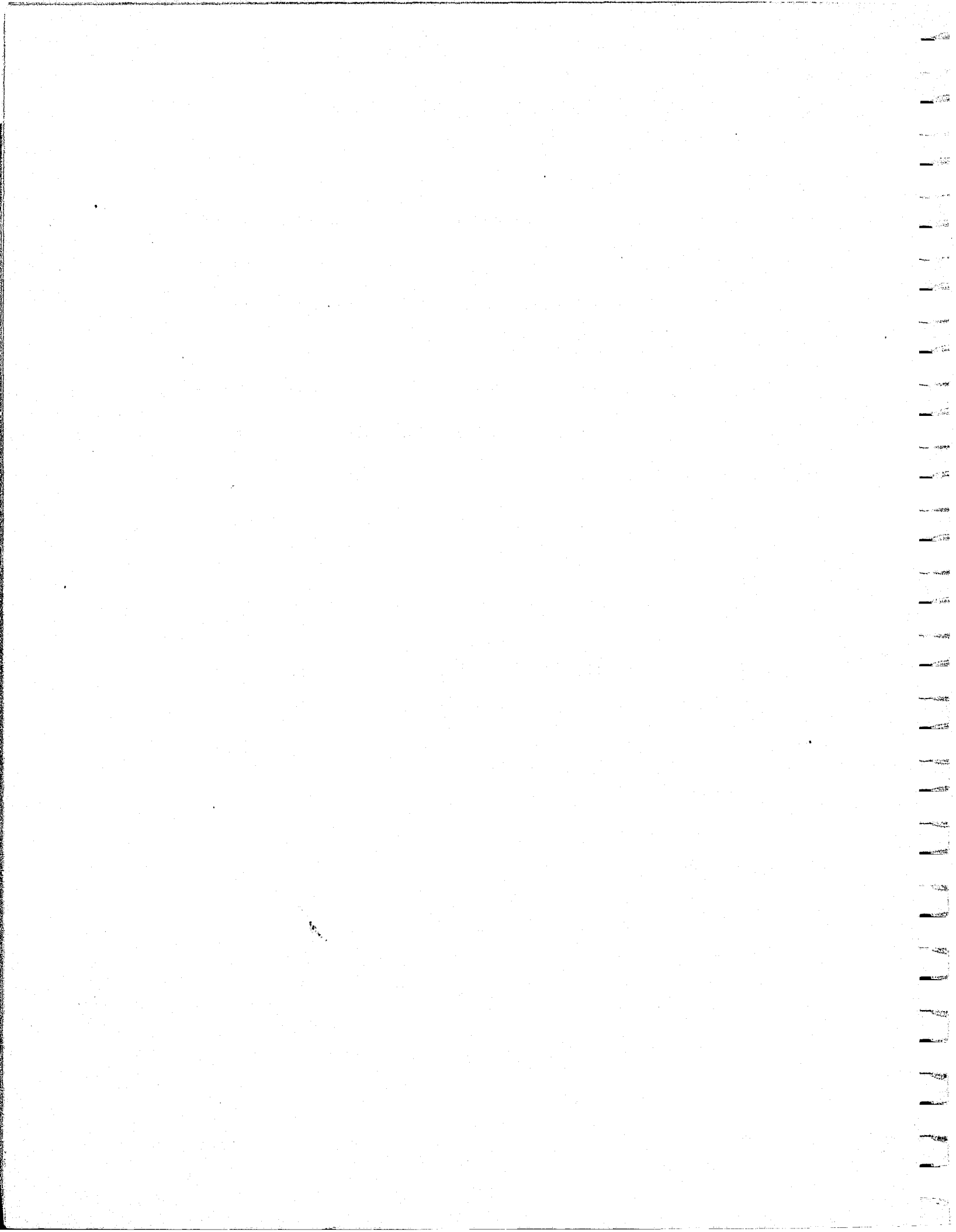
Municipal and Cuyahoga County Common Pleas Courts.

Activity 2, Post-Adjudication Delay Reduction, seeks to accelerate the processing of convicted defendants in the Court of Common Pleas. Component 1, Pre-Sentence Investigation, provides funds to the County Probation Department for five full-time and four part-time Probation Officers and associated support personnel for the preparation of pre-sentence investigation reports in the Common Pleas Court. Component 2, Diagnostic Treatment Profiles, provides additional funds to the Psychiatric Clinic serving the Common Pleas and Cleveland Municipal Courts for one full-time and two part-time psychiatrists and psychologists to develop defendant need-assessment profiles and to supplement the pre-sentence case history investigations of the County Probation Department.

The Cleveland Offender Rehabilitation Project provides additional funds to the City of Cleveland, Department of Human Resources and Economic Development, to continue the pre-trial diversion and referral of arrestees from the Cleveland Municipal Court and the Juvenile Court Division of the Cuyahoga County Court of Common Pleas.\* Project funds support job, vocational, and educational placement and counseling. Follow-up services are rendered to clients at three- or four-month intervals. If a client completes the specified follow-up period in a satis-

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\* Juveniles acceptable as CORP clients must be at least 16 years of age.



factory manner; the Project may recommend to the Court that the pending charges be dropped.

### 1.3 IMPLEMENTATION SCHEDULE

The first three components of the Adjudication Operating Program, constituting the Pre-Trial Delay Reduction Activity, are similar to court activities which existed before IMPACT. Their operations are closely interrelated. The Pre-Trial Delay components were implemented together and coordinated principally through one office.\* The remaining three components, constituting the Post-Adjudication Delay Reduction Activity and the Cleveland Offender Rehabilitation Project (CORP), are increments to efforts which were in place when the Adjudication Program was planned.

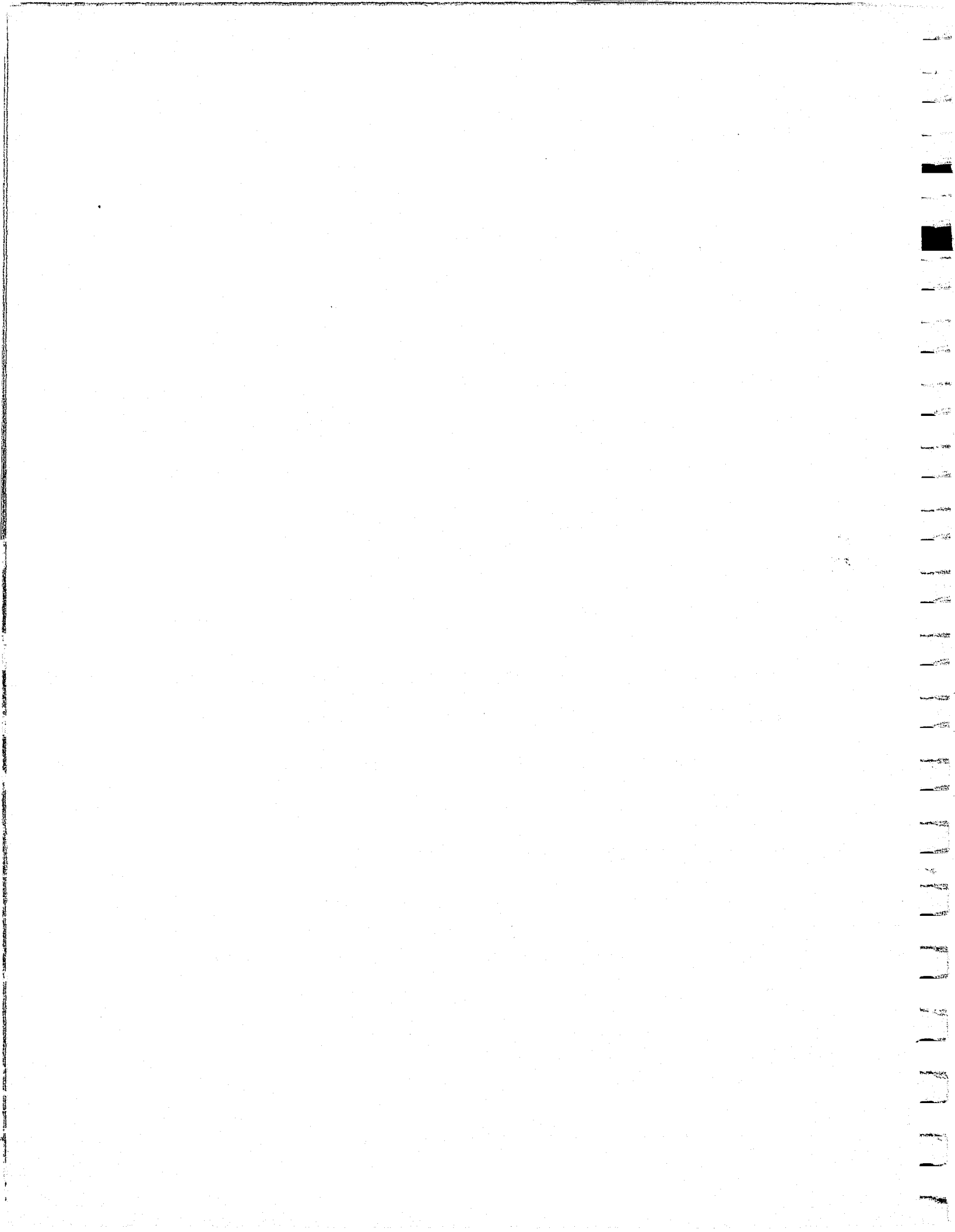
#### 1.3.1 PRE-TRIAL DELAY REDUCTION ACTIVITY IMPLEMENTATION

The goal of the three components of the Pre-Trial Delay Reduction Activity is the rapid movement of IMPACT defendants through the criminal courts without violation of their basic rights. The principal Activity objective is to reduce the time between arrest and disposition of IMPACT defendants.

Six visiting judge positions were added to the bench of the Cuyahoga County Court of Common Pleas. Visiting judges are assigned by the Ohio

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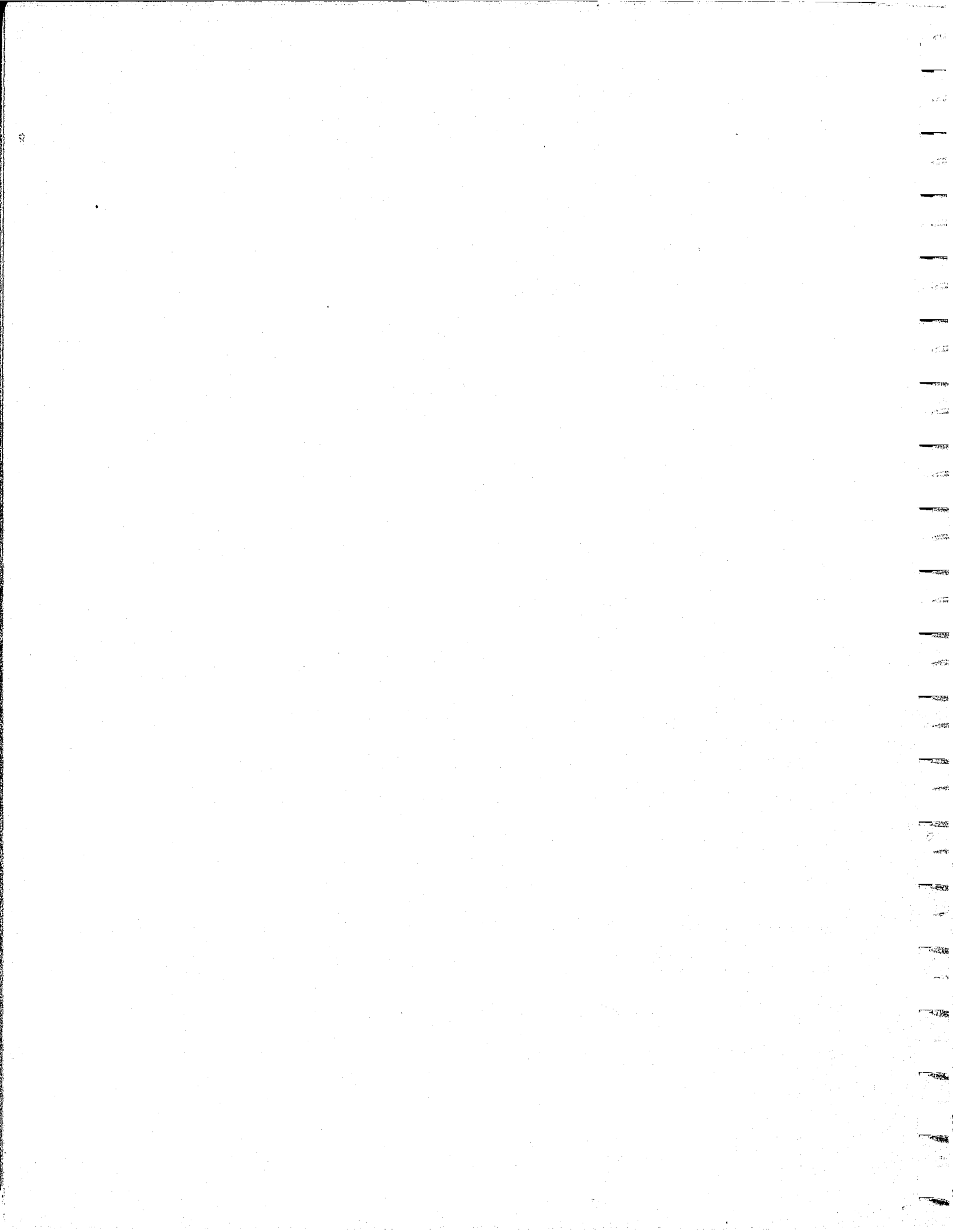
\* The personnel coordinating this Activity are located in the Common Pleas Court Central Scheduling Office in the Cuyahoga County Courthouse.



Supreme Court from counties throughout the State where the caseloads are not as heavy as those in Cuyahoga County. The temporary employment of these visiting judges is intended in no way to limit the obligation of the sitting judges to hear their normal complement of criminal cases.

The visiting judges conducted double-shift use of the courtrooms for approximately two months after the project began on April 23, 1973. The sitting judges used the courtrooms in the morning, and the visiting judges used them in the afternoon. This practice ended on June 22, 1973, when the County opened seven new courtrooms in the Mott Building at 220 St. Clair Avenue, N.W. Visiting judges thus may sit in the Lakeside Courthouse, 1 Lakeside Avenue, N.W., the Mott Building, or the Criminal Courts Building, 1560 East 21st Street, near Payne Avenue.

The support personnel for the Visiting Judges Component consist of (1) nine Deputy Sheriffs, responsible for courtroom protection and prisoner transfer, (2) six court bailiffs, responsible for assisting the judges in the trial process and making record entries as directed, (3) two clerks in the Common Pleas Court Central Scheduling Office, responsible for managing the case-flow, (4) two secretaries to conduct the correspondence of the judges, (5) one law clerk, working in the Cuyahoga County Law Library, to check points of law at the request of the visiting judges, (6) six court reporters to transcribe courtroom proceedings, and (7) two jury bailiffs to serve the needs of the impaneled jurors.

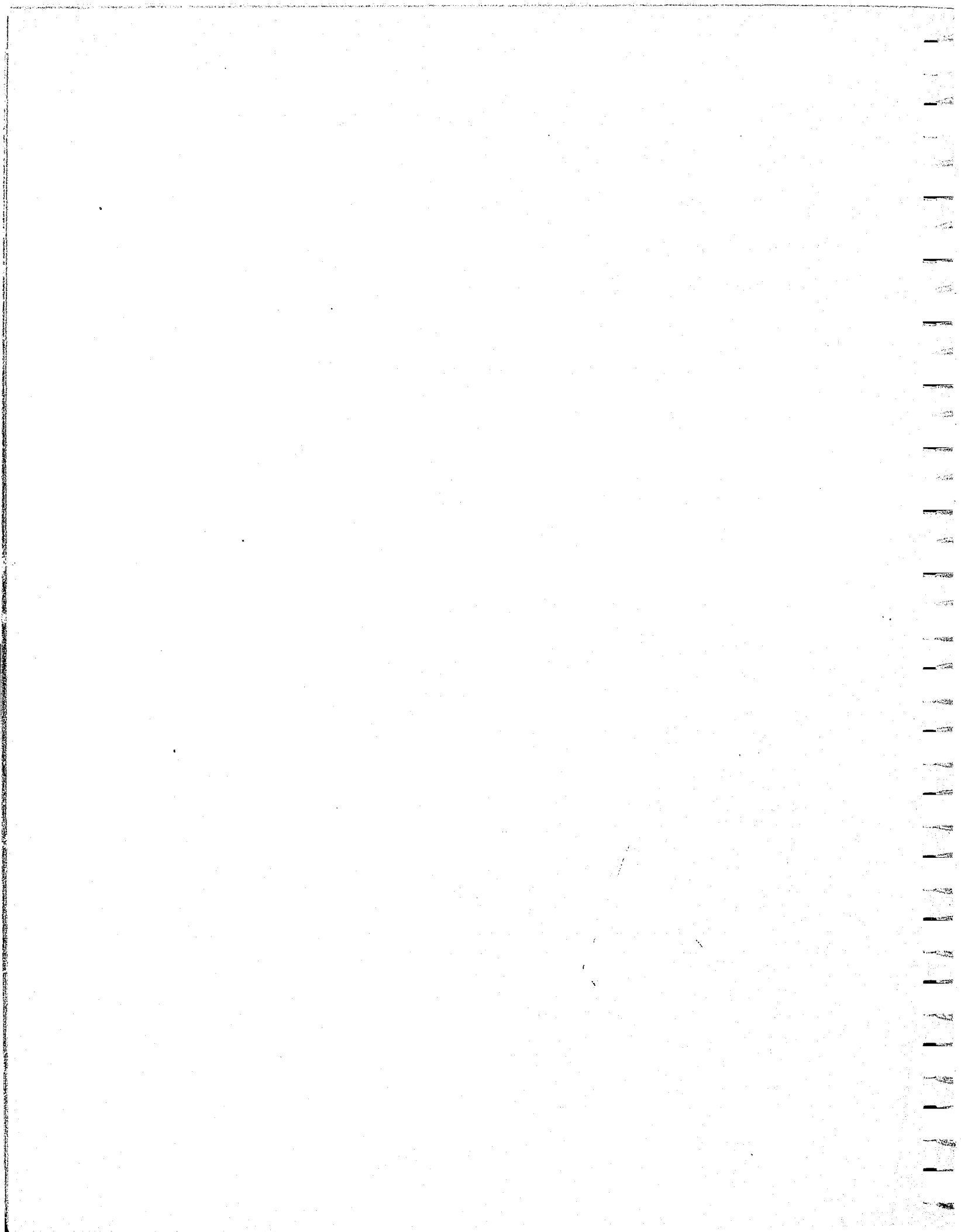




Nine additional Assistant Prosecutors were added to the staff of the Cuyahoga County Prosecutor. These prosecutors became part of a pool from which the Prosecutor chose personnel to try cases in the Common Pleas Court. As dictated by the complexity of each case, the Prosecutor could choose an attorney experienced in criminal prosecutions or one of the newly-hired prosecutors to prosecute the case. The addition of nine Assistant Prosecutors to the attorney pool permitted the Prosecutor's Office to cover the six visiting judges' courtrooms and to keep other cases in preparation for trial before those judges. A clerk-coordinator was added to the Prosecutor's staff in order to keep the case-flow uninterrupted.

Eight attorneys from the Legal Aid Society staff were to provide counsel for those who cannot afford private defense counsel and request appointed counsel, as required in Argersinger, Coleman, Gideon, Hamilton, and Miranda.\* These attorneys could be assigned to a

\*Argersinger v. Hamlin, 407 U.S. 25 (1972); Coleman v. Alabama, 399 U.S. 1 (1970); Gideon v. Wainwright, 372 U.S. 335 (1963); Hamilton v. Alabama, 368 U.S. 52 (1961), and Miranda v. Arizona, 384 U.S. 436 (1966). The Court held in Argersinger that the right of an indigent defendant to the assistance of counsel, guaranteed by Gideon for felonies, is not governed by either the classification of the offense (felony or misdemeanor) or whether a jury trial is required. In Miranda the Court held that the privilege against self-incrimination "is fully applicable during the period of custodial interrogation," including the period immediately following arrest. This provision is applied to the defendant's statements made in open court. Coleman and Hamilton held that counsel must be provided at preliminary hearing and arraignment, respectively.

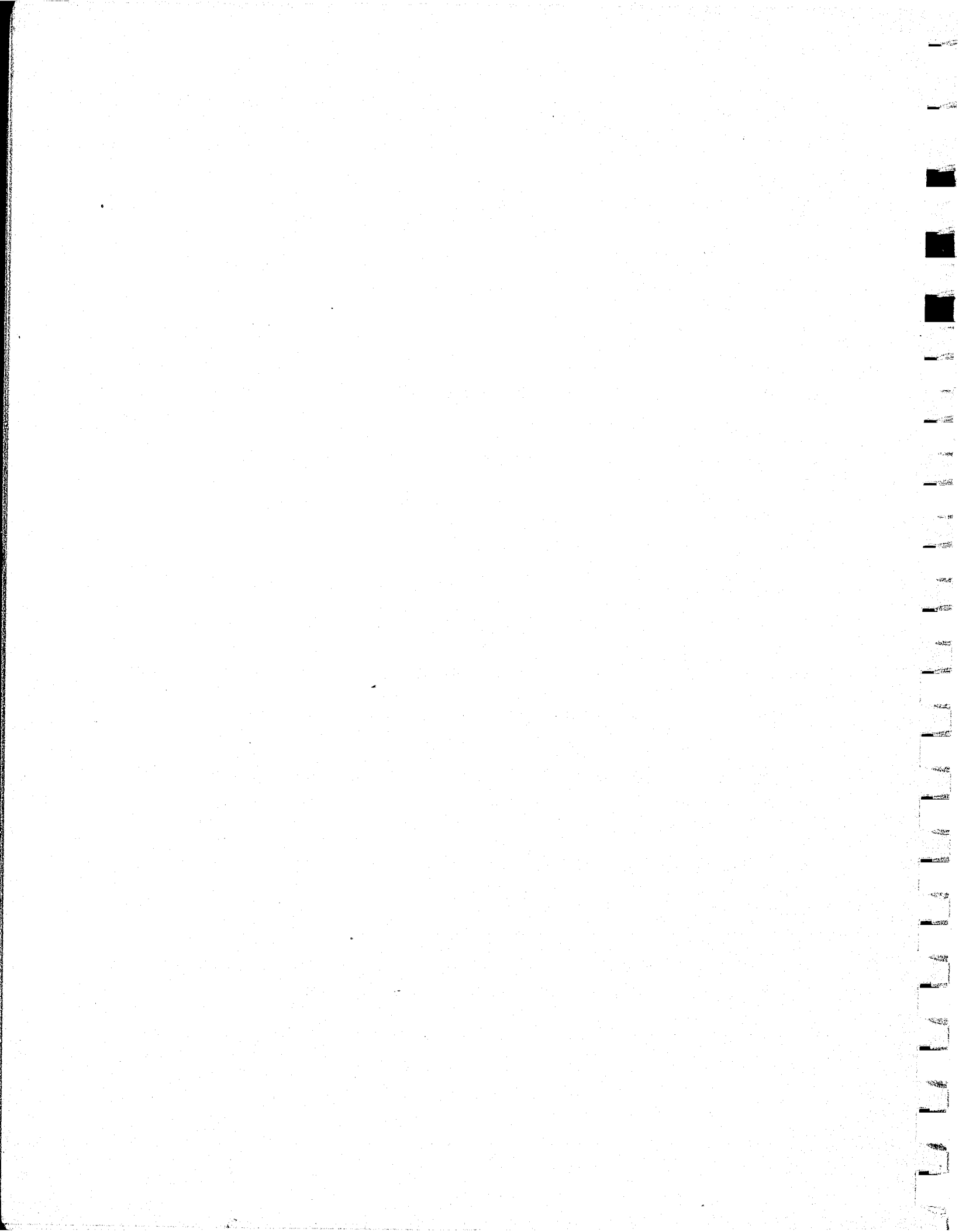


defendant at the preliminary hearing in Municipal Court, and would see the case through Common Pleas Court. In addition to these eight attorneys, the Legal Aid Society has hired four law students, two investigators, two clerks, and one social worker to assist in criminal case defense preparation.

### 1.3.2 POST-ADJUDICATION DELAY REDUCTION ACTIVITY IMPLEMENTATION

The goal of the two components of the Post-Adjudication Delay Reduction Activity is the rapid movement of convicted IMPACT defendants from adjudication to appropriate correctional programs. The principal Activity objectives are to reduce the time between conviction and sentencing of IMPACT defendants and to reduce the time required to determine the proper placement of convicted IMPACT defendants in programs to reduce recidivism.

Five probation officers and one clerk-transcriber were hired by the County Probation Department. These personnel were to complete the "short form" pre-sentence investigation reports and thus enable the judge to reduce the delay from conviction to sentencing. Assisting these probation officers, the Psychiatric Clinic serving the Common Pleas and Cleveland Municipal Courts was to expand its capabilities as a supplement to the case history work-ups of the County and City Proba-



tion Departments. The Clinic was to provide psychological testing, develop interpretive profiles, and identify and assess individual needs in relation to rehabilitative efforts.

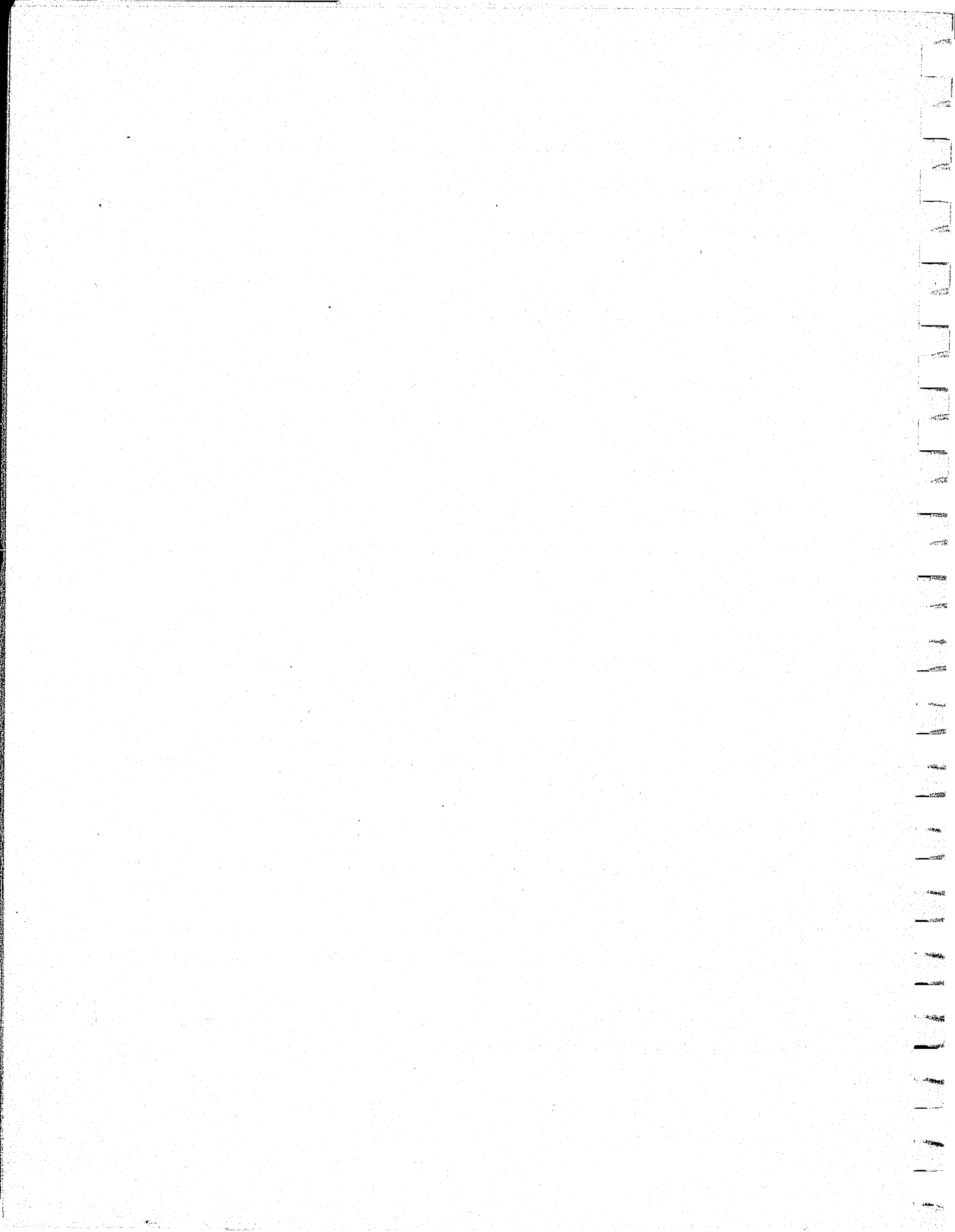
### 1.3.3 CLEVELAND OFFENDER REHABILITATION PROJECT IMPLEMENTATION

The goal of the Cleveland Offender Rehabilitation Project (CORP) is the diversion of eligible and promising arrestees from the criminal justice system. As already noted, the principal objective of CORP is to provide counseling, employment, and vocational/educational training to individuals prior to significant involvement in criminal activities and the criminal justice system.

CORP's approach to diversion begins with the screening of arrestees at their first court appearance. The Project has hired staff to interview and counsel arrestees. These individuals may be accepted into the CORP program at first appearance in Cleveland Municipal Court\* or the Juvenile Court Division of the Court of Common Pleas. Upon successful participation in the CORP program, the Project may recommend to the Court that pending charges be dismissed. The principal thrust of CORP is to secure employment for the client and to discourage future illegal behavior.

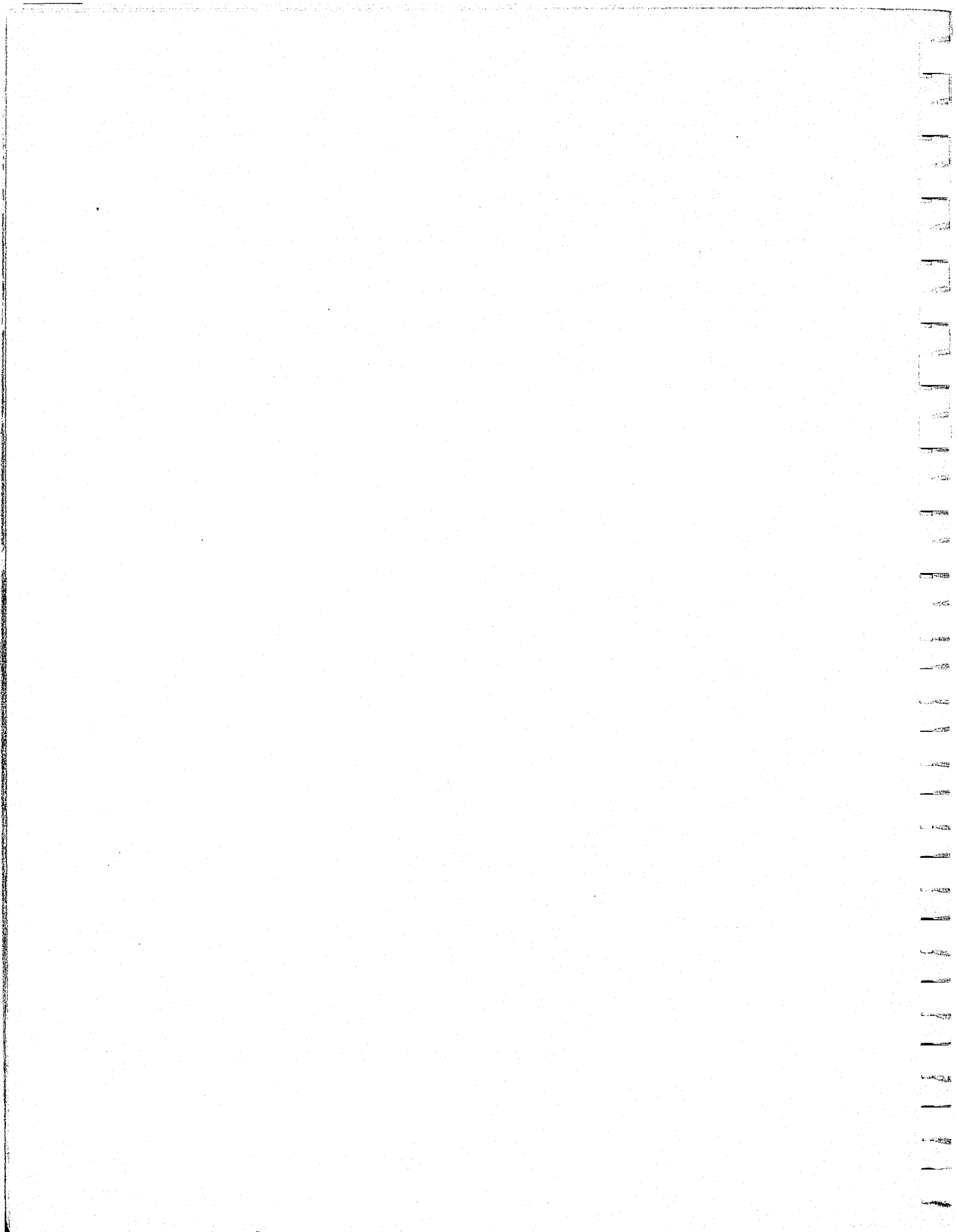
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\* Municipal Court first appearances are at Preliminary Hearing for felonies and Arraignment for misdemeanors.



#### 1.4 ORGANIZATION OF THE REPORT

The remainder of this evaluation report consists of two sections. Section II presents an evaluation and discussion of the performance results of each of the six components described above. Section III presents general conclusions and recommendations regarding each of the six components of the Adjudication Operating Program.





## SECTION II

### PERFORMANCE RESULTS

#### 2.1 EVALUATION OVERVIEW

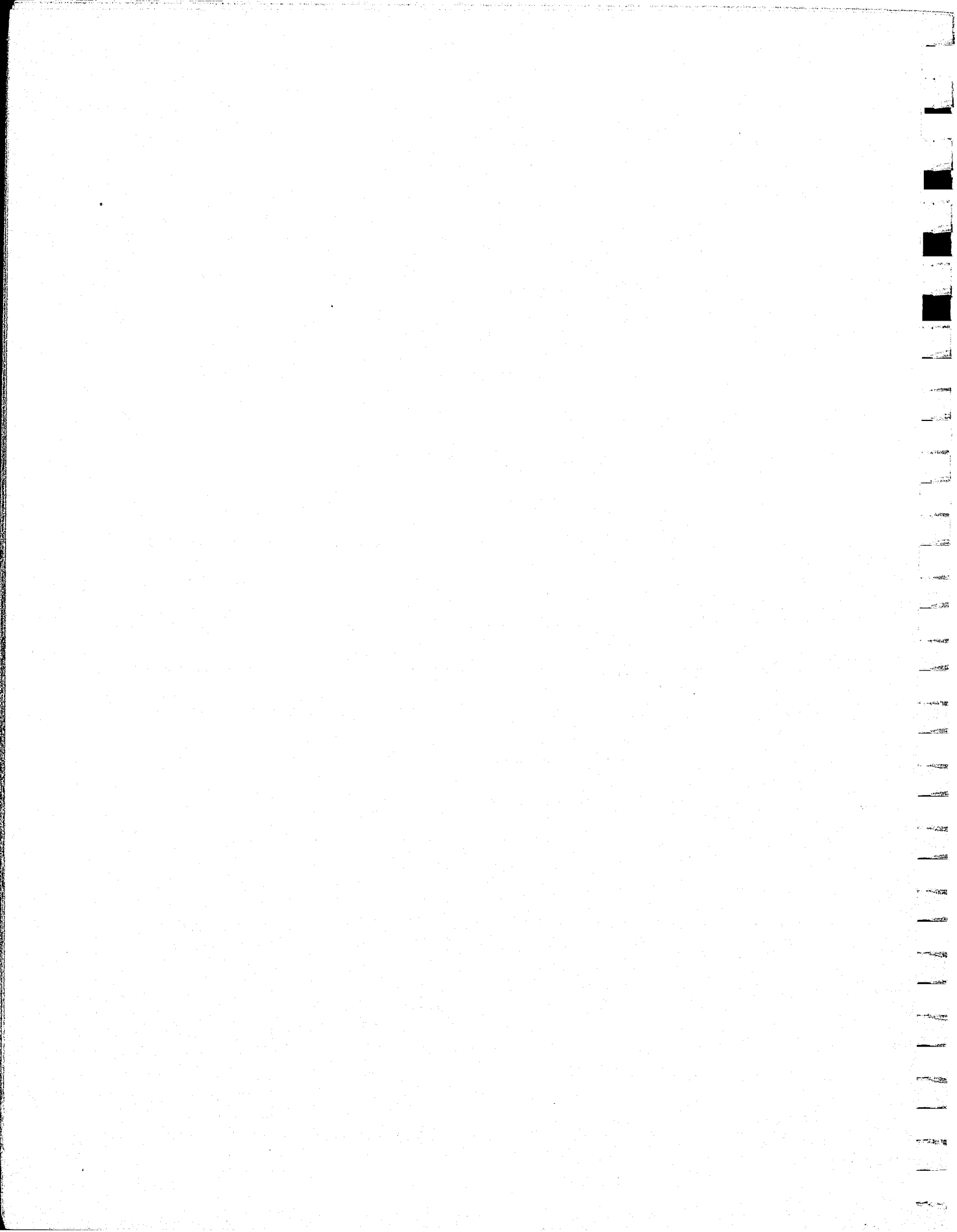
This section presents a performance analysis of the two projects comprising the Adjudication Operating Program: the Pre-Trial and Post-Adjudication Delay Reduction Project; and the Cleveland Offender Rehabilitation Project. In order to evaluate the two projects, performance measures were established in accordance with the stated objectives in the grant applications. These measures include effectiveness measures to assess the results of each project and corresponding efficiency measures to assess how well IMPACT resources were utilized. These measures quantitatively assess project performance results by means of established equations. Two types of data are required for the computation of these equations, expected and actual. "Expected" data are derived from quantitative objectives listed in the grant application; "actual" data for the Adjudication Program evaluation have been collected by the projects and by external data collection mechanisms, such as the Judicial Information System (JIS),\* and have been collated by IMPACT evaluation personnel.

##### 2.1.1 EVALUATION APPROACH

Pursuant to the EVALUATION COMPONENT, referenced in Section I, all of the agencies currently implementing IMPACT Operating Programs

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\*The JIS is operating under the auspices of the Court of Common Pleas, the Cuyahoga County Data Processing Center, and the Court Management Project of the Cleveland Bar Association.

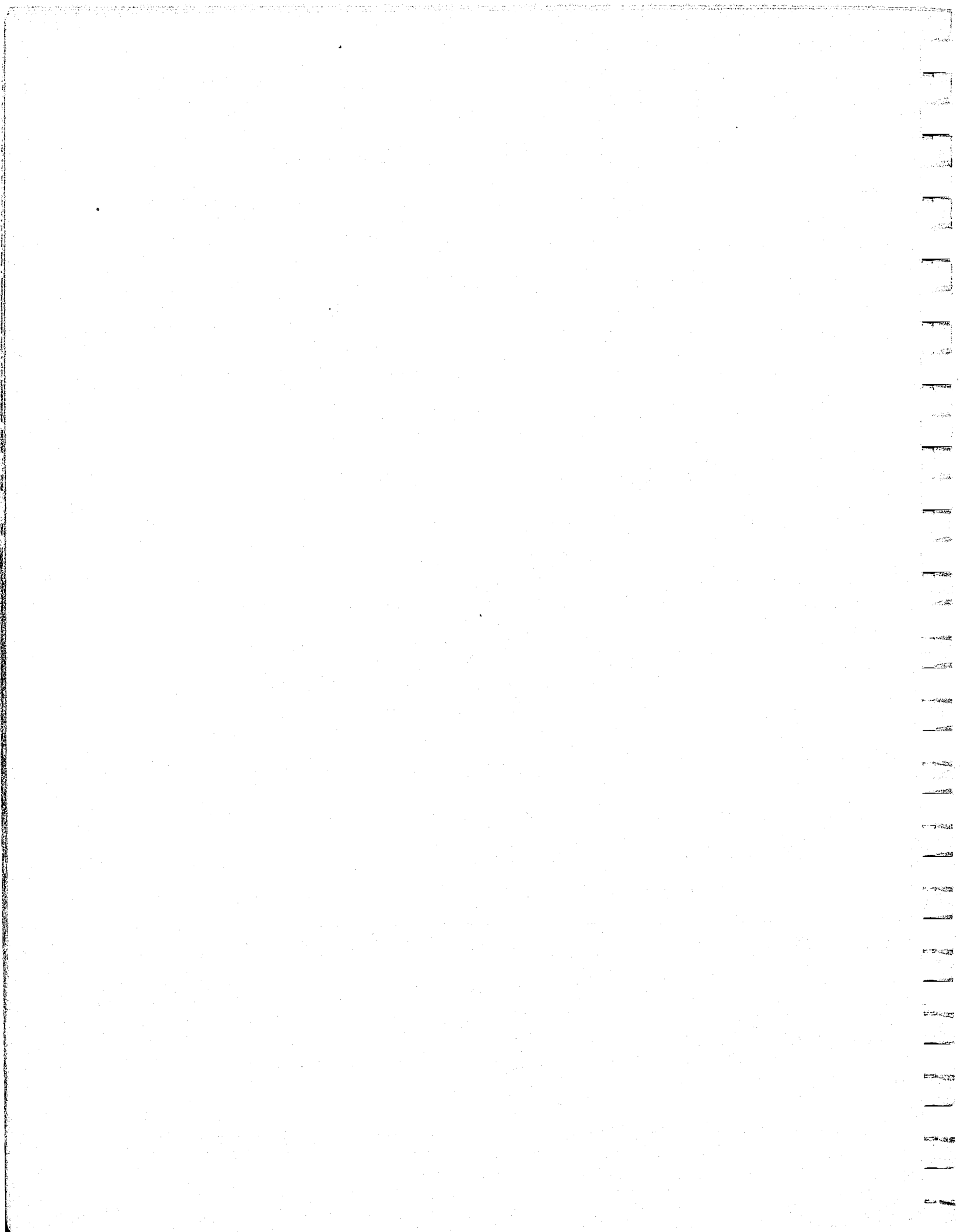


and projects were asked to collect data permitting measurement of the effectiveness and efficiency of each project. Much of the data regarding the Pre-Trial and Post-Adjudication Project is being collected by Project administrative personnel on forms which summarize Project activities with respect to criminal cases in the Court of Common Pleas involving Project personnel. Other data have been obtained from the files of the Judicial Information System.

Most of the data regarding the Cleveland Offender Rehabilitation Project (CORP) is being collected on a monthly Performance Status Report (PSR). \* Other data, specific to CORP clients, are collected on five sections of a data collection form developed by the U. S. Department of Labor with the assistance of a consultant. CORP personnel had used these forms for client data collection from November, 1970 through August, 1973. The decision to use these forms for purposes of IMPACT evaluation was predicated on (1) the familiarity of CORP personnel with the structure and format of the instruments and (2) the opportunity for long-term client data analysis permitted by continuing with the established procedure, format, and validity of data recording and reporting. The CORP client instrument includes many data elements which relate to client socio-economic background, prior criminal history, current legal status, Project service delivery to the client, and follow-up counseling and client status reporting at three- and six-month intervals.

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\* The PSR was designed to facilitate manual data reduction and summarization and to provide management information on a more frequent basis. The PSR for CORP is presented in Appendix B.

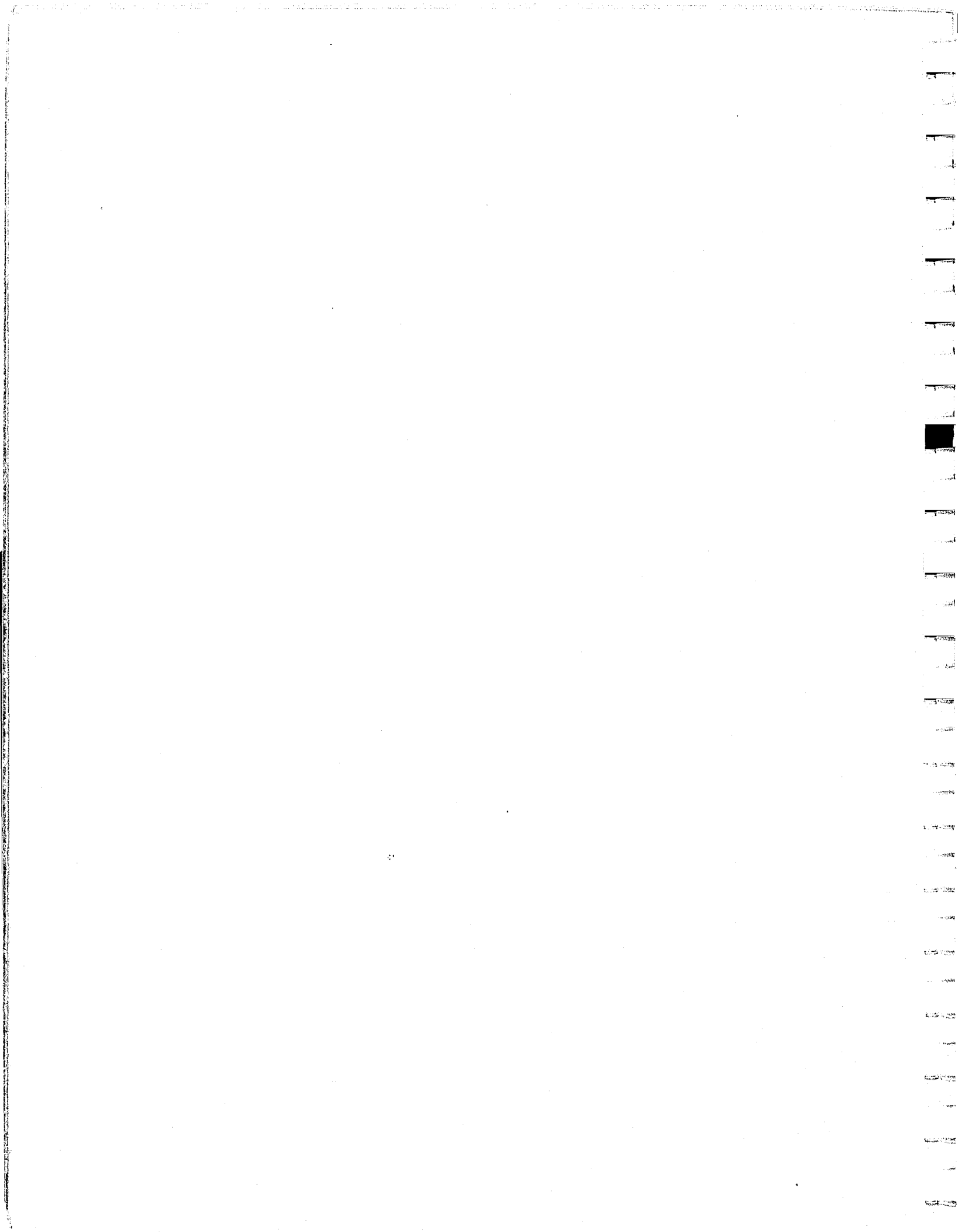


## 2.1.2 EVALUATION DATA

Table 2-1 presents the effectiveness measures and their corresponding efficiency measures for the Pre-Trial and Post-Adjudication Delay Reduction Project. The comparable elements for the Cleveland Offender Rehabilitation Project are presented in Table 2-2. The disparate nature of the sets of data elements for the two projects requires that distinct data collection mechanisms be used for each project. These mechanisms are described in the paragraphs below.

### 2.1.2.1 Data Requirements, Pre-Trial and Post-Adjudication Delay Reduction Project

The data collection for the Pre-Trial and Post-Adjudication Delay Reduction Project is complex. The data collection system (1) must be capable of tabulating elapsed times in the adjudication of defendants, (2) must be able to tabulate defendant groups separately by crime (i. e., charge) type, (3) must account for the expenditure of time by visiting judge, prosecutor, public defender, probation officer, psychiatrist, psychologist, and support personnel on each case/defendant funded from the Project grant, and (4) should permit discrete analysis of defendant-specific data by crime/charge type, disposition, personal characteristics, prior criminal history, residence, and location of the alleged offense. This data collection system is required for approximately 4,000 Common Pleas Court defendants over a 12-month period for baseline purposes.



**TABLE 2-1  
PERFORMANCE ELEMENTS  
PRE-TRIAL AND POST-ADJUDICATION DELAY REDUCTION PROJECT**

<b>OBJECTIVES: Less court backlog, less delay in pre-sentence and diagnostic reporting</b> <b>MEANS : Visiting judges, more prosecutors, more defense counsel for indigent defendants, more probation officers, more diagnostic treatment unit staffing</b>			
	<b>EFFECTIVENESS MEASURES</b>	<b>EFFICIENCY MEASURES</b>	<b>DATA ELEMENTS</b>
<b>OVERALL</b>	(1) Decrease in time from Common Pleas arraignment to disposition for defendants in IMPACT crime cases	(1) Percentage reduction in time from arrest to disposition for IMPACT defendants	(1) Time (in days) from arrest to disposition for IMPACT defendants, baseline and during grant period.
	(2) Decrease in number of IMPACT defendants awaiting trial	(2) Percentage reduction in number of IMPACT defendants awaiting trial	(2) Number of IMPACT defendants awaiting trial, baseline and during grant period
<b>OTHER</b>	(3) Decrease in time spent free on bail until disposition for IMPACT defendants	(3) Percentage reduction in time spent free on bail until disposition for IMPACT defendants.	(3) Number of IMPACT defendants free on bail, baseline and during grant period; time (in days) free on bail for IMPACT defendants, baseline and during grant period
	(4) Decrease in time spent in County jail before disposition of case for IMPACT defendants	(4) Percentage decrease in time spent in County jail before disposition of case for IMPACT defendants	(4) Number of IMPACT defendants in County jail awaiting disposition of case, baseline and during grant period; time (in days) spent in County jail by IMPACT defendants awaiting disposition, baseline and during grant period.
	(5) Increase in number of judge-hours, prosecutor-hours, defense-counsel-hours, and probation officer-hours	(5) Dollar cost and percentage increase in judge-hours, prosecutor-hours, defense counsel-hours, and probation officer-hours	(5) Number of judge-hours, prosecutor-hours, defense counsel-hours, and probation officer-hours, baseline and during grant period; dollar cost of additional hours of each type

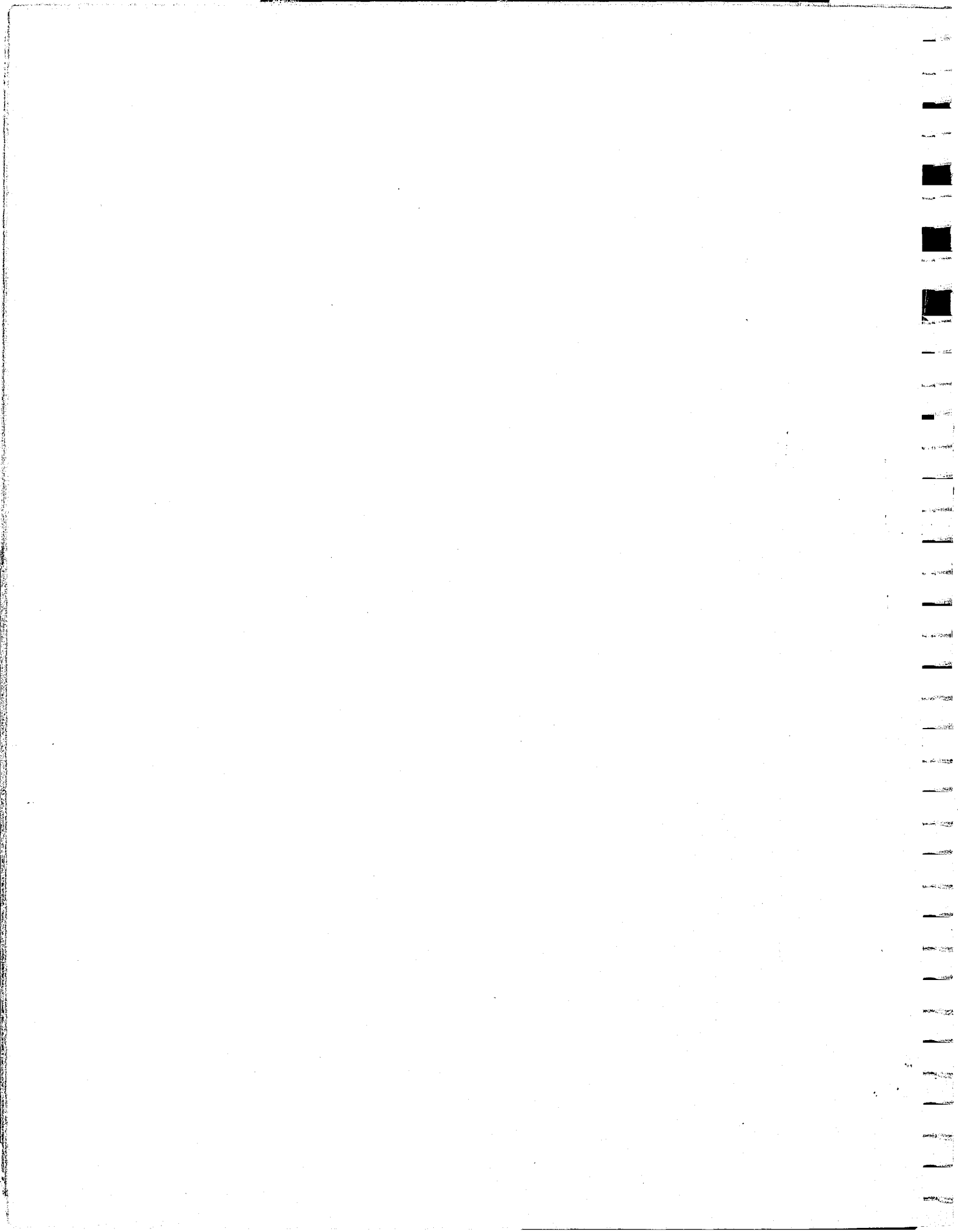
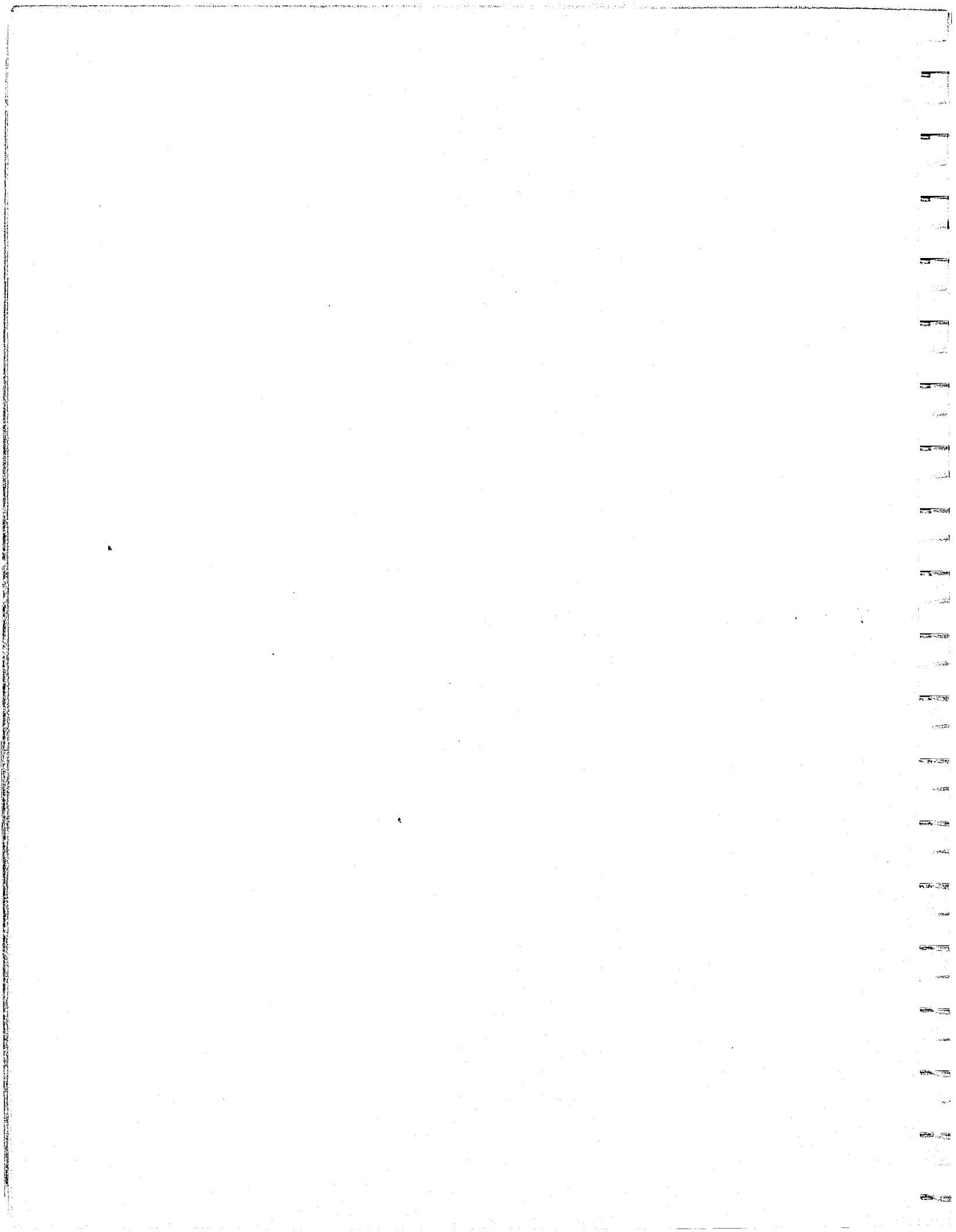




TABLE 2-1 (continued)

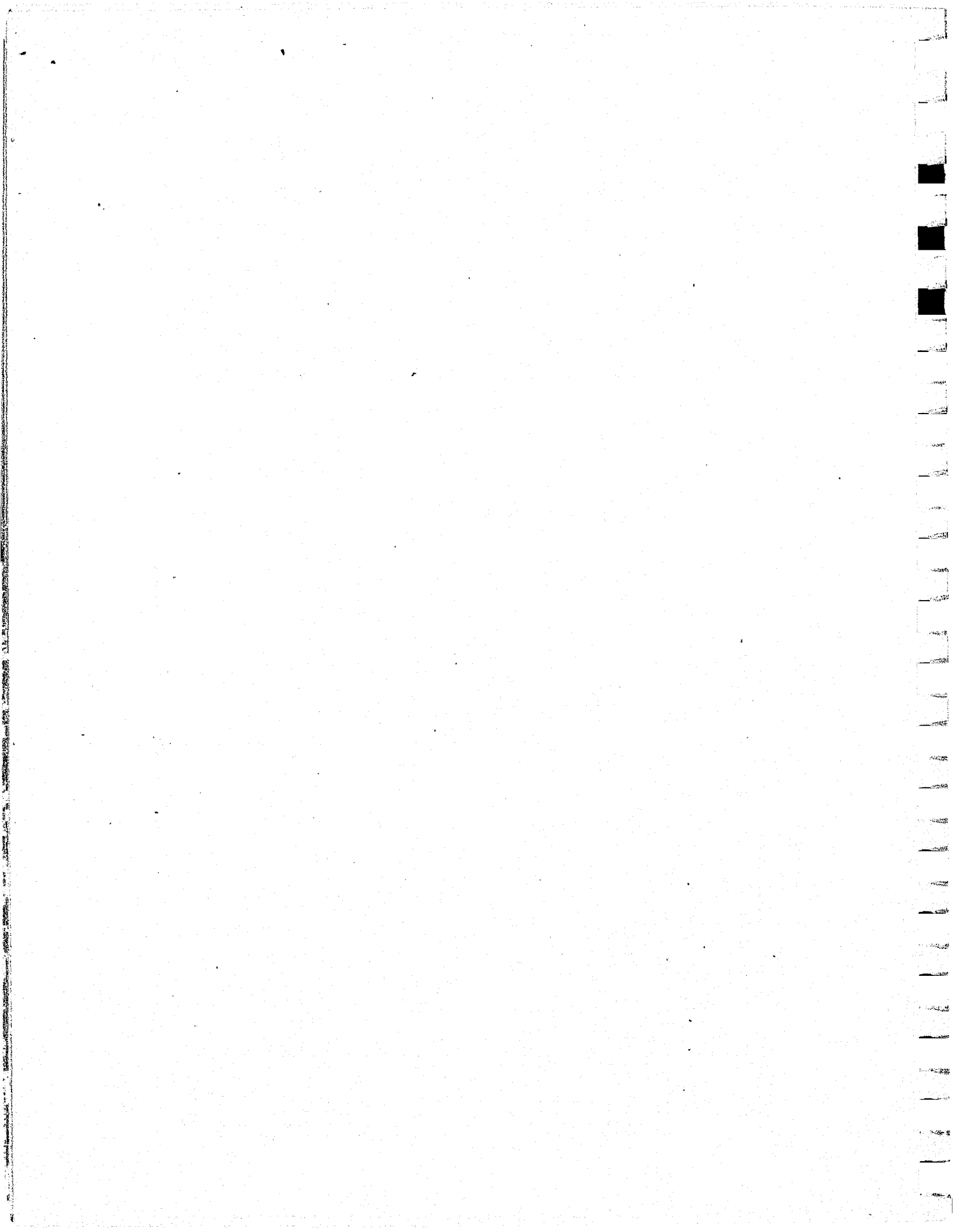
	<p>(6) Increase in quality of pre-sentence and diagnostic treatment reports for IMPACT defendants; decrease in the time from adjudication to completion of reports and profiles for IMPACT defendants</p>	<p>(6) Qualitative measures of improved quality of pre-sentence reports and diagnostic treatment profiles for IMPACT defendants; percentage reduction in time from conviction to completion of reports and profiles for IMPACT defendants</p>	<p>(6) Qualitative report on changes in quality of pre-sentence reports and diagnostic treatment profiles for IMPACT defendants; time (in days) from adjudication to completion of pre-sentence reports and diagnostic profiles for IMPACT defendants, baseline and during grant period</p>
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**TABLE 2-2  
PERFORMANCE ELEMENTS  
CLEVELAND OFFENDER REHABILITATION PROJECT (CORP)**

<b>OBJECTIVES:</b> Fewer IMPACT crimes, lower recidivism rate, more jobs for young offenders <b>MEANS :</b> Diversion of offenders from the criminal justice system, counseling, educational/vocational training, job placement		
EFFECTIVENESS MEASURES	EFFICIENCY MEASURES	DATA ELEMENTS
<b>OVERALL</b> (1) Decrease in number of IMPACT and non-IMPACT crimes by clients of Cleveland Offender Rehabilitation Project (CORP)	(1) Dollar cost per reduced number of IMPACT and non-IMPACT crimes by CORP clients; percentage reduction in IMPACT and non-IMPACT crimes by CORP clients	(1) Total number of IMPACT and non-IMPACT crimes by CORP clients; baseline number of IMPACT and non-IMPACT crimes expected of CORP clients
(2) Decrease in recidivism rate of clients in CORP	(2) Dollar cost per reduced number of CORP clients who recidivate; percentage reduction in CORP clients who recidivate	(2) Total number of CORP clients who do not recidivate; baseline number of CORP clients expected to recidivate
(3) Increase in number of clients diverted from Court to CORP	(3) Dollar cost per additional client diverted from Court to CORP	(3) Number of clients diverted from Court to CORP, baseline and during grant period
<b>OTHER</b> (4) Increase in number of clients receiving counseling, job orientation and placement, educational and vocational training; increase in number of referrals of CORP clients to other agencies; increase in number of CORP clients achieving GED,* high school degrees, continuing in school	(4) Dollar cost per additional client receiving counseling, job orientation, and placement, educational and vocational training; dollar cost per additional referral; dollar cost per reduced number of unemployed CORP clients; dollar cost per increased number of CORP clients involved in academic programs	(4) Additional number of clients receiving counseling, job orientation and placement, educational and vocational training; additional number of CORP clients referred to other agencies; additional number of CORP clients securing jobs; additional number of CORP clients enrolled in academic programs and number completing programs

\*General Educational Development

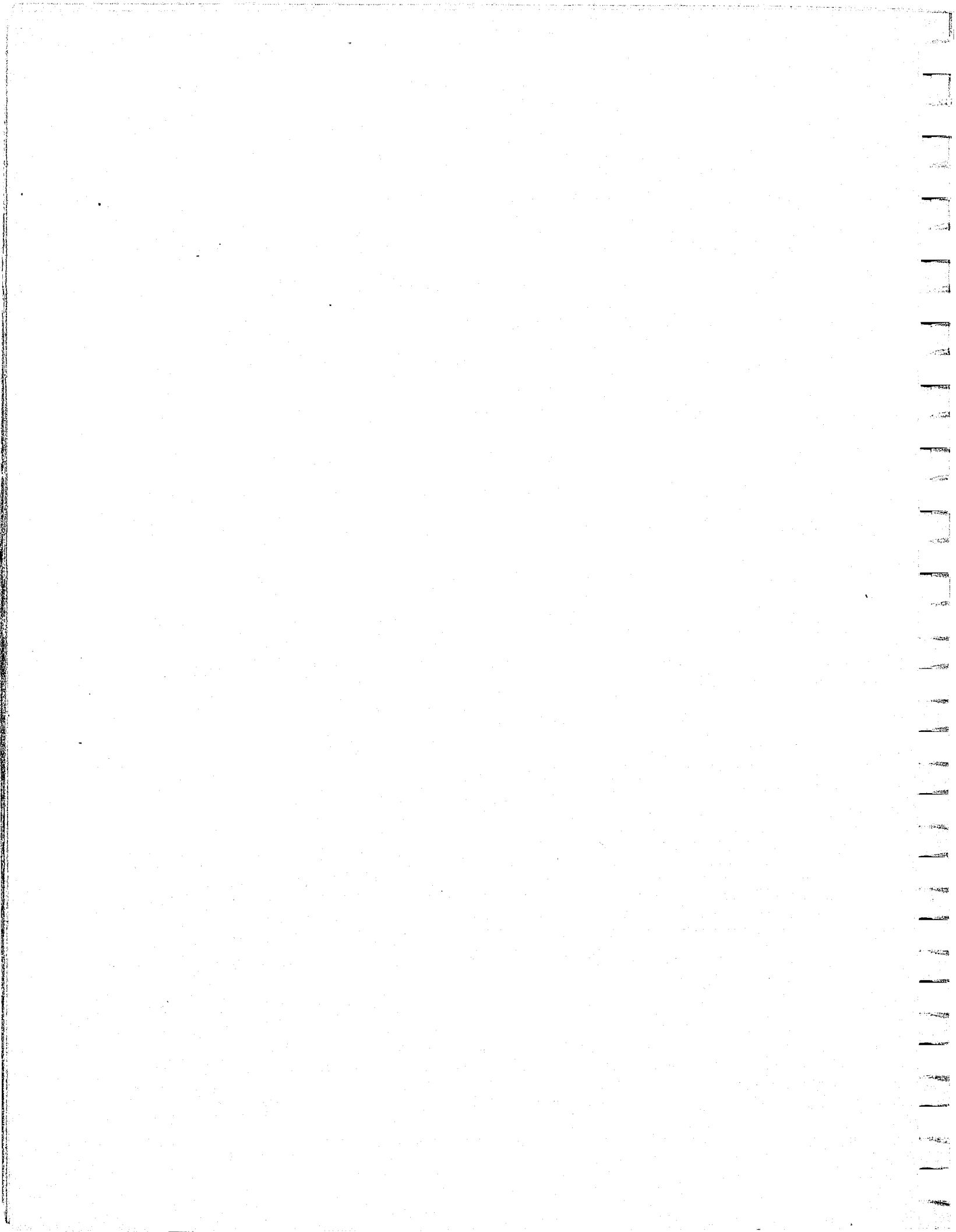


In order to satisfy these data system requirements, defendant-specific, case-specific, and summary processing data were to be extracted from the Judicial Information System (JIS). \* The Court of Common Pleas has made available to the IMPACT Planning and Evaluation Staff a copy of the JIS criminal case files. These files date from the inception of the System to January 16, 1974, and are being updated semi-monthly. The files are written on magnetic tape in a format which can be read by the City of Cleveland Data Processing Center IBM System 370 Model 155 Computer. The Court of Common Pleas has also provided the IMPACT Planning and Evaluation Staff/Data Processing Technical Group\*\* with copies of the JIS input, coding, and record layout formats. The Data Processing Technical Group has prepared computer programs which extract and tabulate data from the JIS tape. These programs also perform analyses required for evaluation of the Pre-Trial and Post-Adjudication Delay Reduction Project. The specification for this software is described in Appendix C.

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\*The JIS staff has constructed a data base on criminal defendants and cases which date from April 1971. The defendant data base currently contains approximately 16,000 defendant records, through December 31, 1973. The data base contains many data elements which describe the defendant and the processing of each case. The data base is updated as the defendant is processed through each stage of the Common Pleas Court criminal case. Although all data elements required for evaluation of the Project are not included in the JIS, a substantial number of the required elements are present.

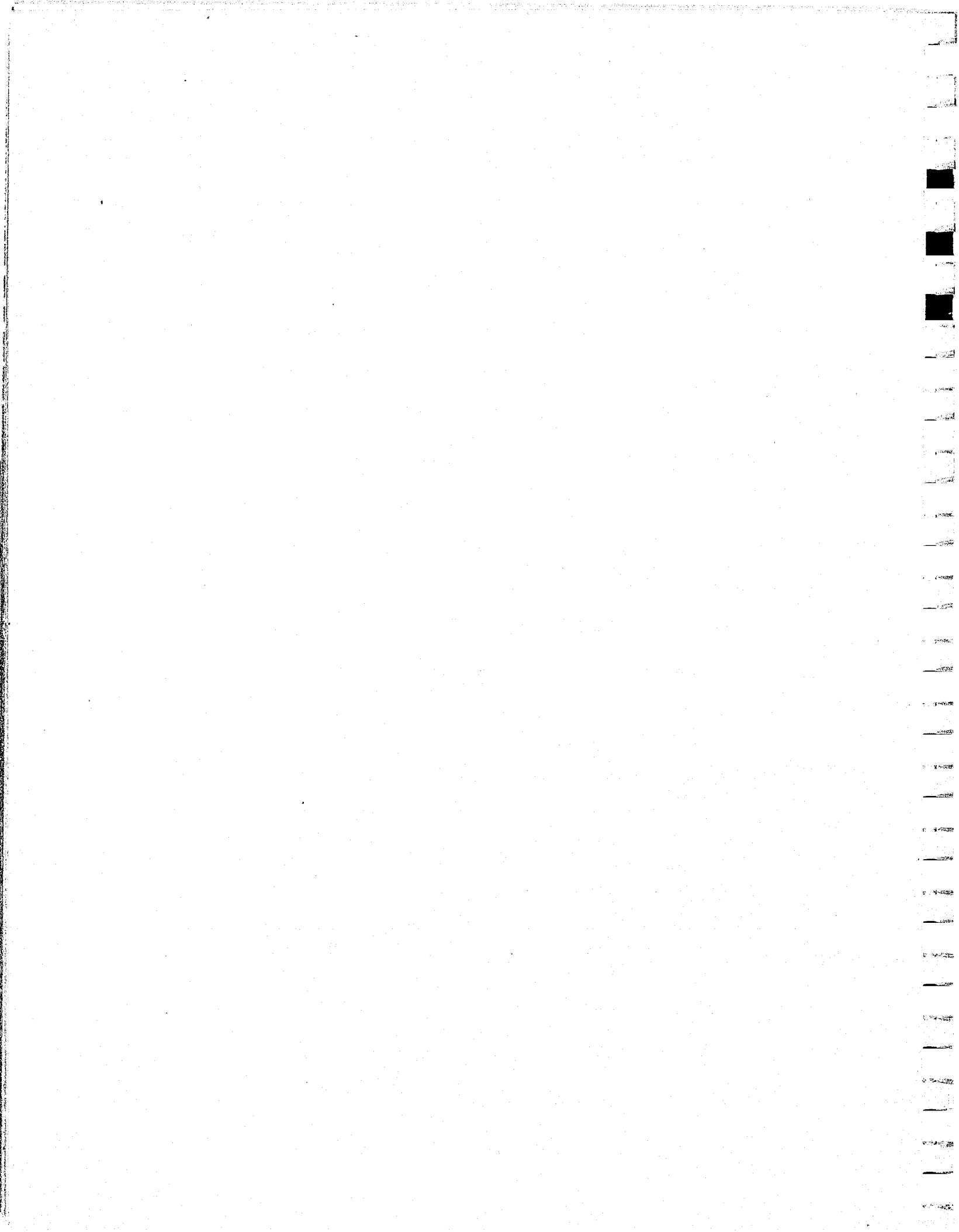
\*\*The IMPACT Planning and Evaluation Staff/Data Processing Technical Group is composed of professional IMPACT staff, IMPACT consultants, and City Data Processing Center editors, keypunchers, information system analysts, and programmers.



Apparent data integrity problems have been encountered in the processing of the JIS tape. The problems stem from the lack of time and personnel (1) to verify all JIS inputs, (2) to purge all invalid records, sub-records, and/or data, (3) to regularly update all records in order to reflect current status and characteristics of defendants, and (4) to regularly update the JIS internal reference tables which key from the input records to the data fields. JIS personnel are aware of most occurrences of these problems in the criminal case data base; the IMPACT Planning and Evaluation Staff/Data Processing Technical Group was informed of some of these data deficiencies before receipt of the tape. Processing of the tape, i. e., running the programs, has revealed additional data integrity problems. Many of the problems require time-consuming manual efforts to check and correct the data.

The data in the criminal case data base, concerning individuals and cases, have certain characteristics which are important to note:

- The defendants and cases are those who were bound over by a Municipal Court, indicted by the Grand Jury, filed on information from the Cuyahoga County Prosecutor, or transferred in venue to or from another county;
- Location data are difficult to segregate in the data base due to inconsistent or inaccurate coding of the following data elements,
  - (a) City of arrest,
  - (b) Arresting Police Department,
  - (c) City of alleged offense,
  - (d) City of residence at time of alleged offense, and
  - (e) Municipal Court in which preliminaries were held;





- Only the initial and final charge in Common Pleas Court are listed, thus the precise charge/crime type on which the police acted is not known;
- The cases on which IMPACT-funded judges, prosecutors, or defenders worked are difficult to separately tabulate;
- Stranger-to-stranger characteristics of crimes are not recorded; and
- Of the 263 charge codes used in the JIS, the following are consistent with FBI definitions of crime types,\*
  - (a) Eight codes for the Homicide definition,
  - (b) Five codes for the Forcible Rape definition,
  - (c) Five codes for the Robbery definition,
  - (d) Twelve codes for the Aggravated Assault definition, and
  - (e) Eleven codes for the Burglary definition.

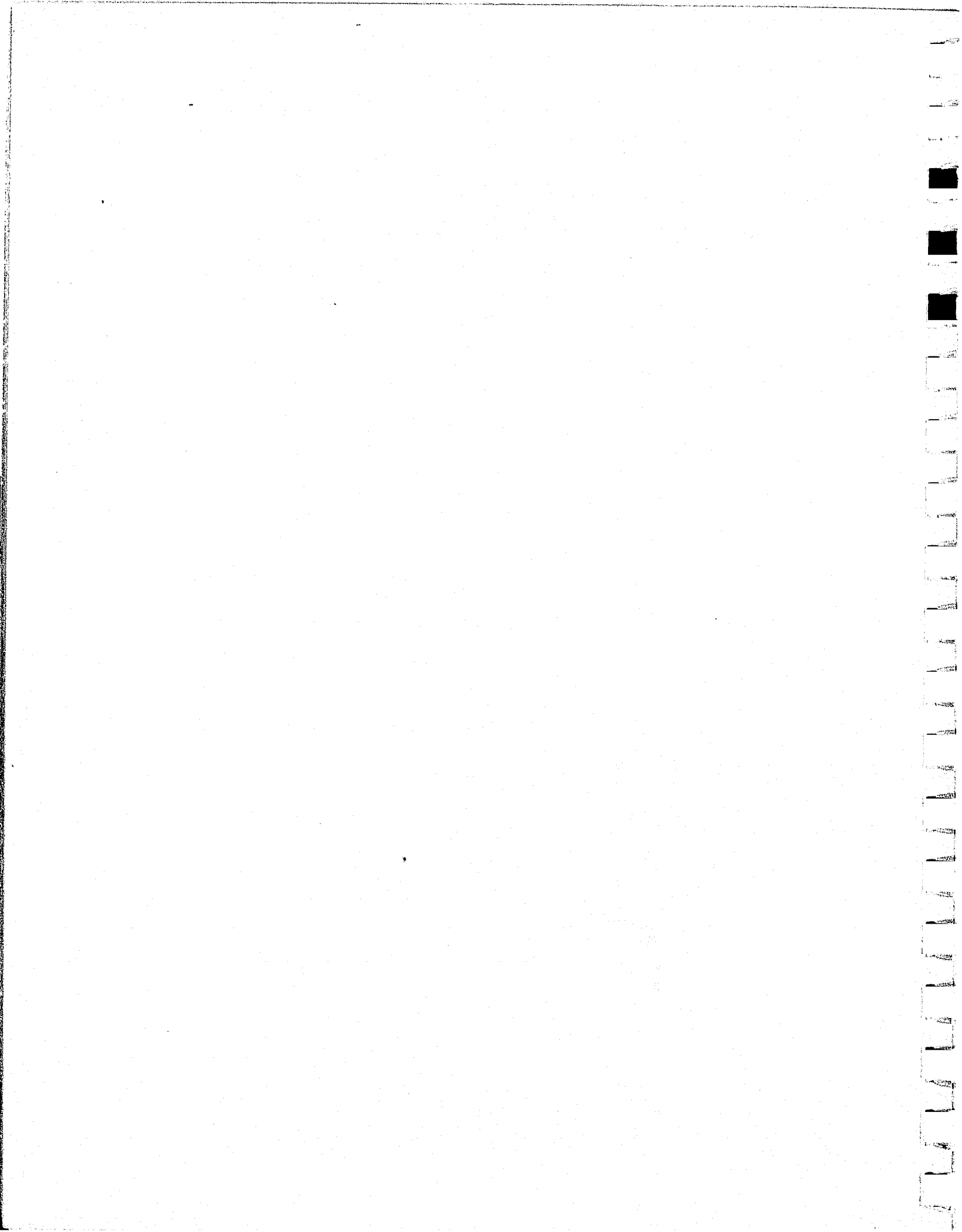
Thus, it has been necessary to aggregate the data by crime type for the relevant tabulations and summaries, and to eliminate certain tabulations for which the data are not available.

The data maintained in the JIS files have been supplemented by manually-tabulated summary sheets for those cases heard by the visiting judges. These sheets provide a readily-accessible display of the following data:

- Case number;
- Filing date;
- Defendant name;
- Initial charge (generic);

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\* The standards for classifying the JIS charges and the FBI crime type definitions were taken from the Federal Bureau of Investigation, U. S. Department of Justice, UNIFORM CRIME REPORTING HANDBOOK, Washington: GPO (1966); See Appendix A of this report for a more detailed listing.



- Judge, original and visiting;
- Jury trial and length;
- Jury waiver;
- Termination type, by plea, verdict, or other, clarified in the "final disposition" column;
- Referral type, to Probation or Clinic (the Diagnostic Treatment Unit/Psychiatric Clinic); and
- Final disposition type, institution, and length of term (if not prescribed by statute or ordinance).

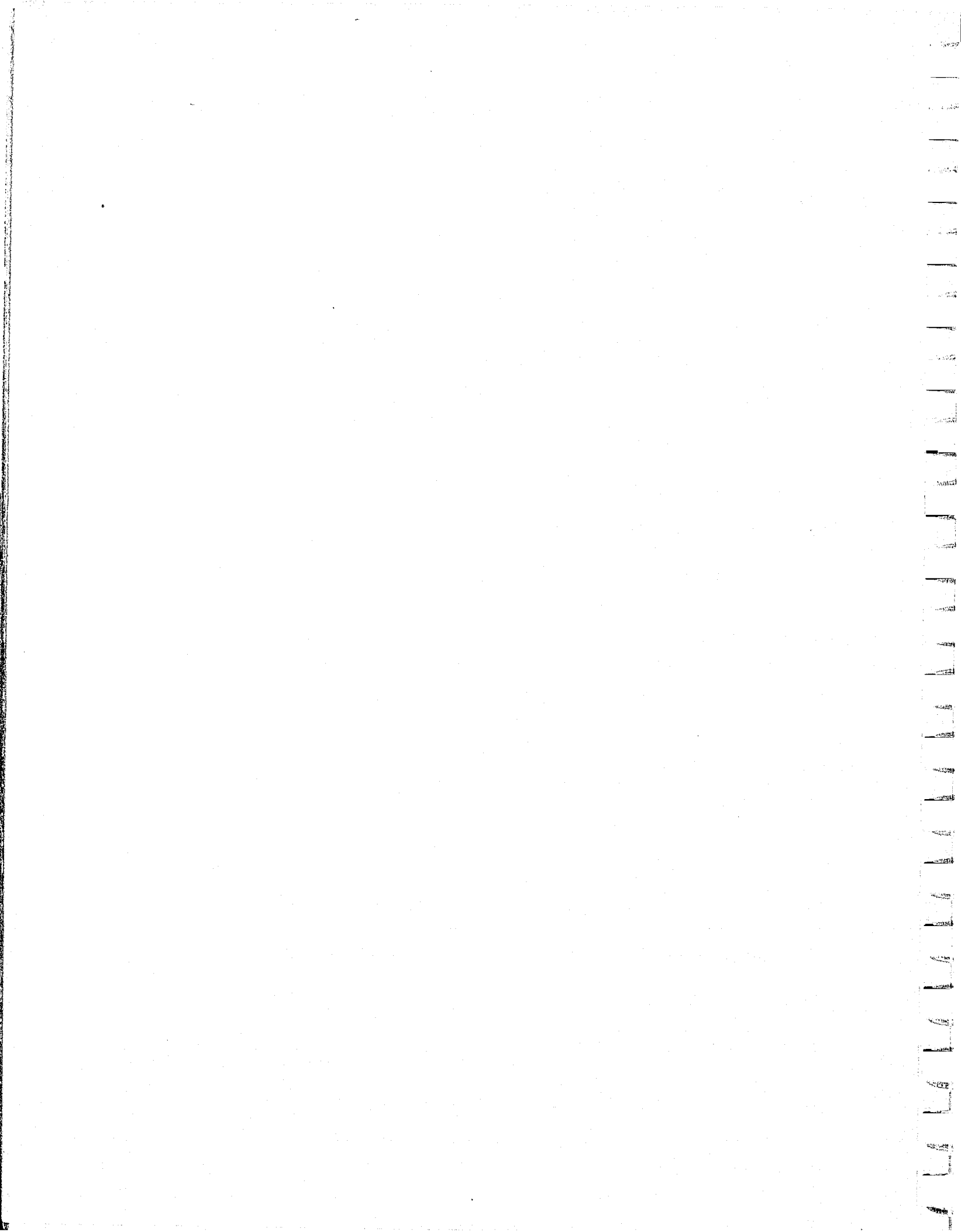
The Project personnel working out of the Common Pleas Court Central Scheduling Office have maintained these data for each case heard by the visiting judges since April 23, 1973.

#### 2.1.2.2 Data Requirements, Cleveland Offender Rehabilitation Project

The data collection for the Cleveland Offender Rehabilitation Project (CORP) is not as complex as that for the Pre-Trial and Post-Adjudication Delay Reduction Project. Data have been collected by the Project in order to satisfy the evaluation requirements of a U. S. Department of Labor grant.\* The data collection mechanism consists of five forms developed by the Department of Labor with the assistance of a consultant for the nine cities participating in the pre-trial intervention/diversion program. The data forms are four-part carbonless copies, and are organized as follows:

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\*CORP was funded by the Manpower Administration of the U. S. Department of Labor for a grant period from November 1970 to August 31, 1973. IMPACT funding began March 1, 1973. The Labor Department grant established an agency originally known as the Cleveland Court Employment Program as the local component of a nationwide pre-trial intervention program. The other program locales are: Atlanta, Georgia; Baltimore, Maryland; Boston, Massachusetts; Hayward, San Jose, and Santa Rosa, California; Minneapolis, Minnesota; and San Antonio, Texas.

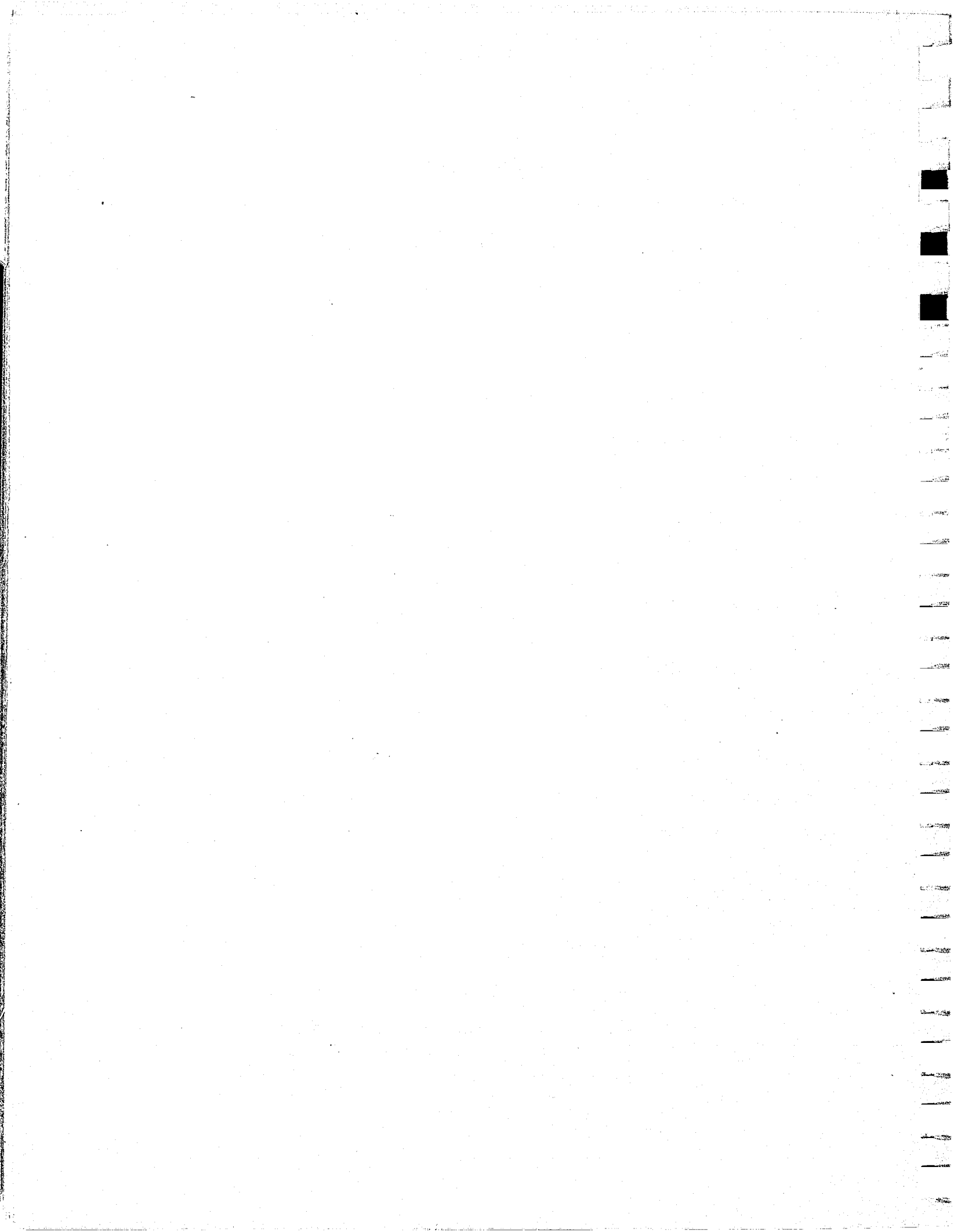


- Form 1, Individual Information Record, Screening Information;
- Form 2, Individual Information Record, Intake Information;
- Form 3, Case Progress Record;
- Form 4, Termination Record; and
- Form 5, Participant/Control Follow-Up Record.

These five client-specific forms provide data input to the Labor Department's national evaluation effort. The data on these forms permit CORP to prepare summary workload and caseload statistics. These data also appear to be sufficient for a complete evaluation of CORP from the IMPACT point of view. A subsequent evaluation, using the client-specific forms, will be prepared when IMPACT funding has ceased.

The IMPACT evaluation of CORP must adequately segregate Labor Department-supported activities from those supported by IMPACT subvention. Certain clients have received the benefits of both IMPACT and Labor Department funding; these clients were enrolled in the Project between March 1 and August 31, 1973, inclusive. The evaluation of these CORP clients will be grouped as follows:

- GROUP I clients who entered the project on March 1, 1973, and thereafter, according to client status as of September 30, 1973, using Forms 1 through 5, have been evaluated as IMPACT clients. Data will be required in the aggregate for all clients, and on a client-specific basis.

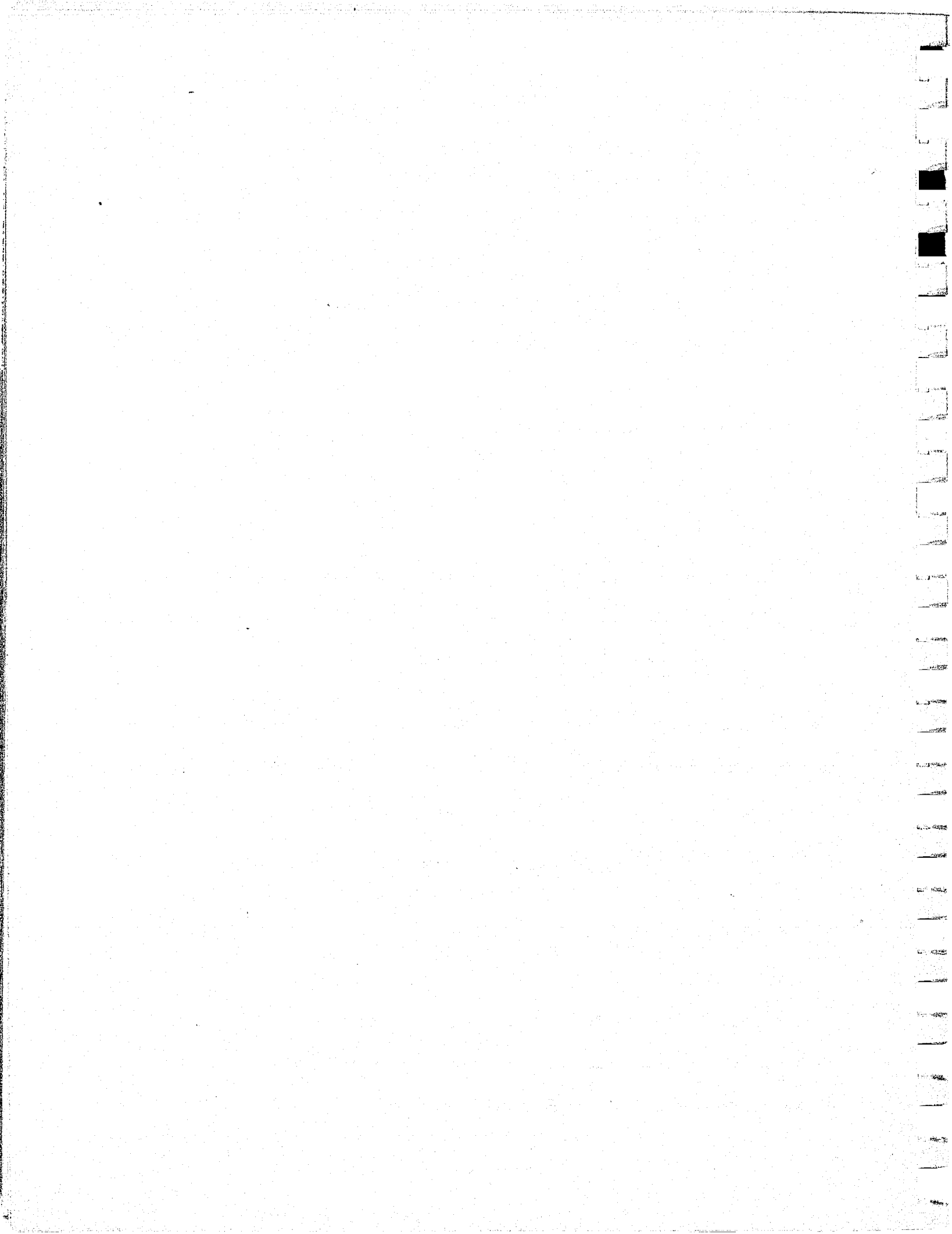


- GROUP II clients who were actively enrolled in the project on March 1, 1973, have received services supported in part by Labor Department funds. These clients' progress and CORP service delivery have been evaluated on a pro-rata basis of the ratio of IMPACT and Labor Department funds.
- GROUP III clients who were no longer on active status with CORP, but whose "treatment plan" included follow-up by CORP between March 1 and August 31, 1973, inclusive, have received services supported in part by Labor Department funds. These clients' progress and CORP service delivery have been evaluated on a pro-rata basis of the ratio of IMPACT and Labor Department funds.

The client-specific data collection forms will be used in future evaluations, in conjunction with other IMPACT planning and evaluation data, to create profiles of IMPACT project clients, arrestees, disposition descriptions, and target populations.

## 2.2 PERFORMANCE ANALYSIS

This section presents a description and analysis of the activities of the six components of the Adjudication Operating Program. The extent to which each component succeeded in meeting its stated objectives is discussed in Section 2.3, Performance Objectives.





## 2.2.1 PRE-TRIAL AND POST-ADJUDICATION DELAY REDUCTION PROJECT, ACTIVITY 1 -- PRE-TRIAL DELAY

### Component 1: Visiting Judges

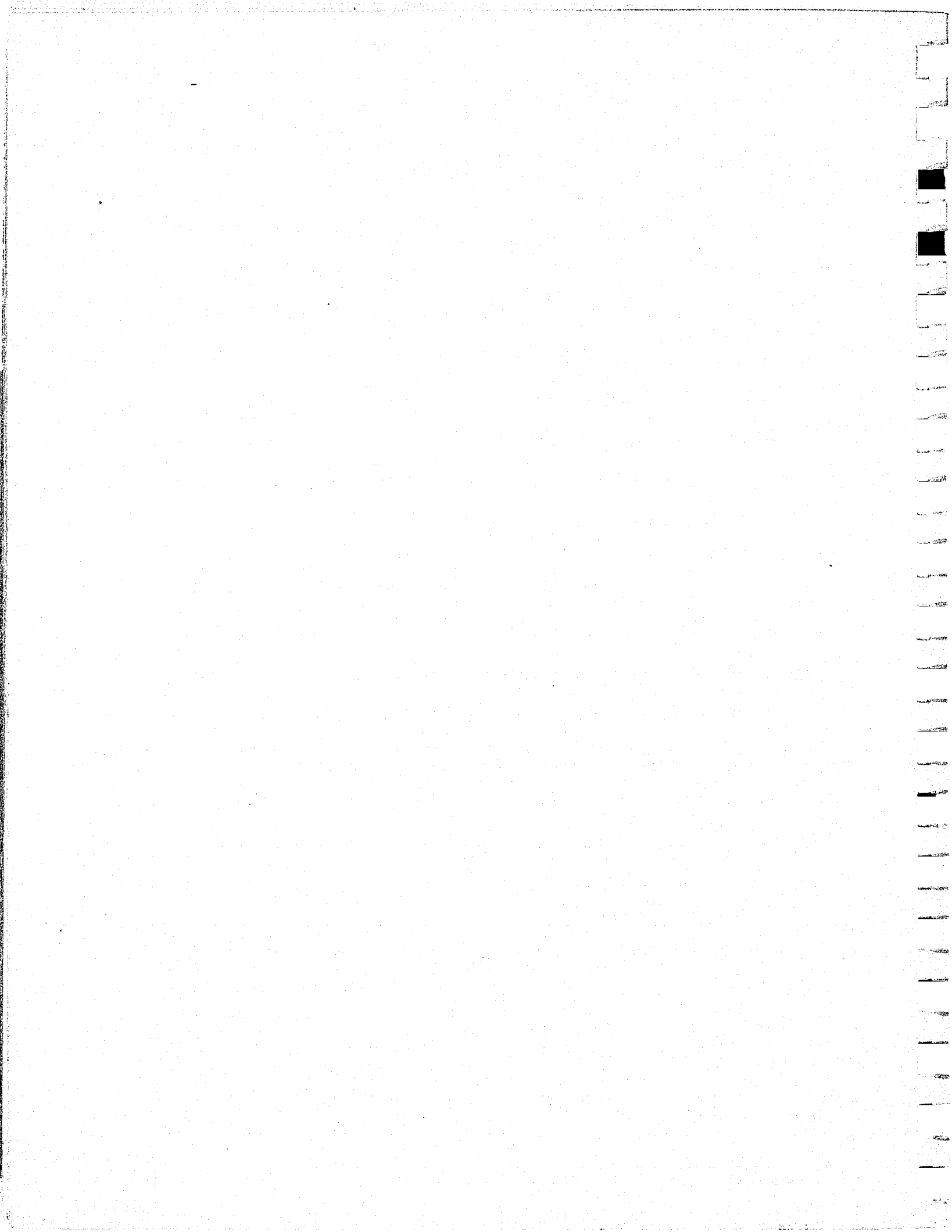
The Visiting Judges Component became operational on April 23, 1973, with the first case filed before an IMPACT-funded visiting judge on that date. In the past, the Court of Common Pleas has had some experience with visiting judges in the course of efforts to reduce both the criminal and civil case backlogs. The IMPACT visiting judges differ insofar as their availability represented additional staffing to adjudicate criminal cases exclusively.

Two operational hypotheses have been formulated to assess the effectiveness of the visiting judges. They are expressed in the form of "if-then" statements: (1) If additional staffing is available for adjudication of felony cases, then a reduction in the Court's criminal case backlog should be expected, and (2) If there is a significant reduction in the Court's backlog, then the expectation should be that more cases were adjudicated over shorter periods of elapsed time between arraignment and a Common Pleas disposition.

This evaluation discussion focuses on the 35-week period during which the visiting judges were sitting in 1973: From April 23, 1973 to December 31, 1973.\* However, before the performance data are presented, a description of recent Common Pleas criminal caseloads and administrative operations is helpful as historical background against which to interpret the data.

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\* The Court was not in session during the last week in December.



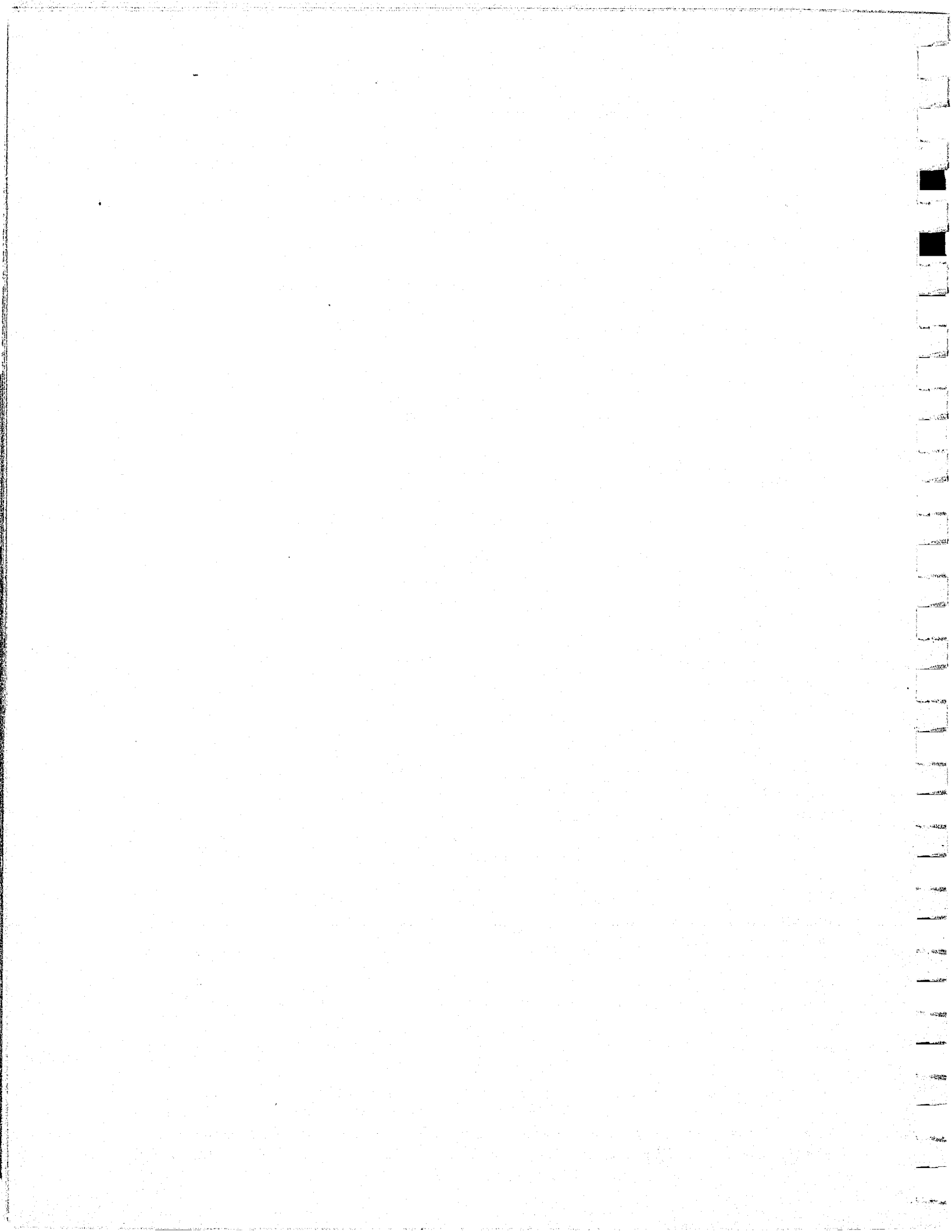
The General Division of the Court of Common Pleas litigated approximately 5,000 criminal cases in 1973 with an average of 12.5 judges assigned to the criminal dockets each month.\* In the recent history of the Common Pleas Court, the criminal case backlog has been consistently high since 1971. The backlog has grown from approximately 350 cases in 1958 to 1,751 as of December 31, 1970, and from a recent low of 939 cases awaiting trial in November, 1972, to nearly 1,700 cases awaiting trial by the beginning of 1973, including approximately 300 felony cases which had been pending for more than six months.

The Judicial Information System (JIS) was used to examine the case backlog about which data were available from January, 1971, through January, 1974. The JIS maintains records on 16,241 cases filed during this 36-month period. Using the available JIS data, records on 9,533 cases with disposition and arraignment dates permitted computation of 59 percent of the Court's felony case backlog on a monthly basis.\*\*

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\* There are 26 judges in the Court of Common Pleas: One administrative judge (the Presiding Judge) and 25 trial judges. In 1973, and as a general practice, the allocation of judicial staffing between criminal and civil dockets alternated on a monthly basis. Either 12 judges were assigned to criminal dockets and 13 judges to civil dockets during one month or 13 judges were assigned to criminal dockets and 12 judges to civil dockets the next month. This configuration did change from month to month in accordance with special scheduling requirements. Unfortunately, information concerning these changes was not available from the Court's administrative records.

\*\* The program to reduce these data considered only those cases for which an Arraignment Date and a Disposition Date were recorded and were within reasonable bounds (i. e., not over 3 years old). The data represent only one case per defendant, although many counts/charges may have been filed, unless the cases were separated in time by more than six months and the defendant was not involved in more than one case active in the Court at one time. This situation derives from the structure of the JIS files and their data content. In the complete file, only 9,533 records contain usable Arraignment and Disposition Dates. These latter records constitute the data base from which Figure 2-1 was developed.

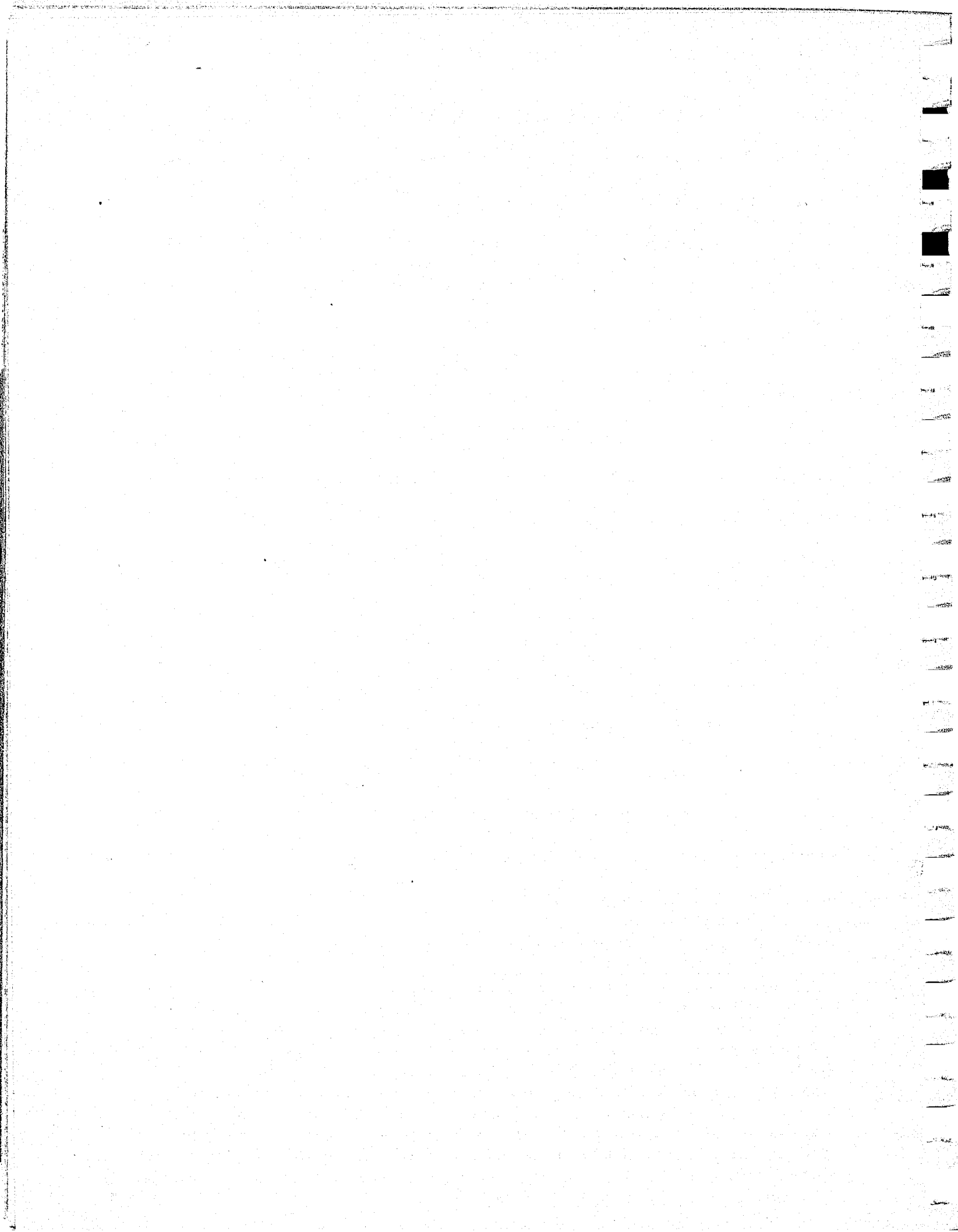


The results of those computations are shown in Figure 2-1. The figure depicts the number of felony cases arraigned, the number of case dispositions, and the backlog on a month-by-month basis. Examination of the figure shows that the backlog had grown to at least 1,706 cases pending in December, 1971, and 1,423 cases pending in February, 1973.

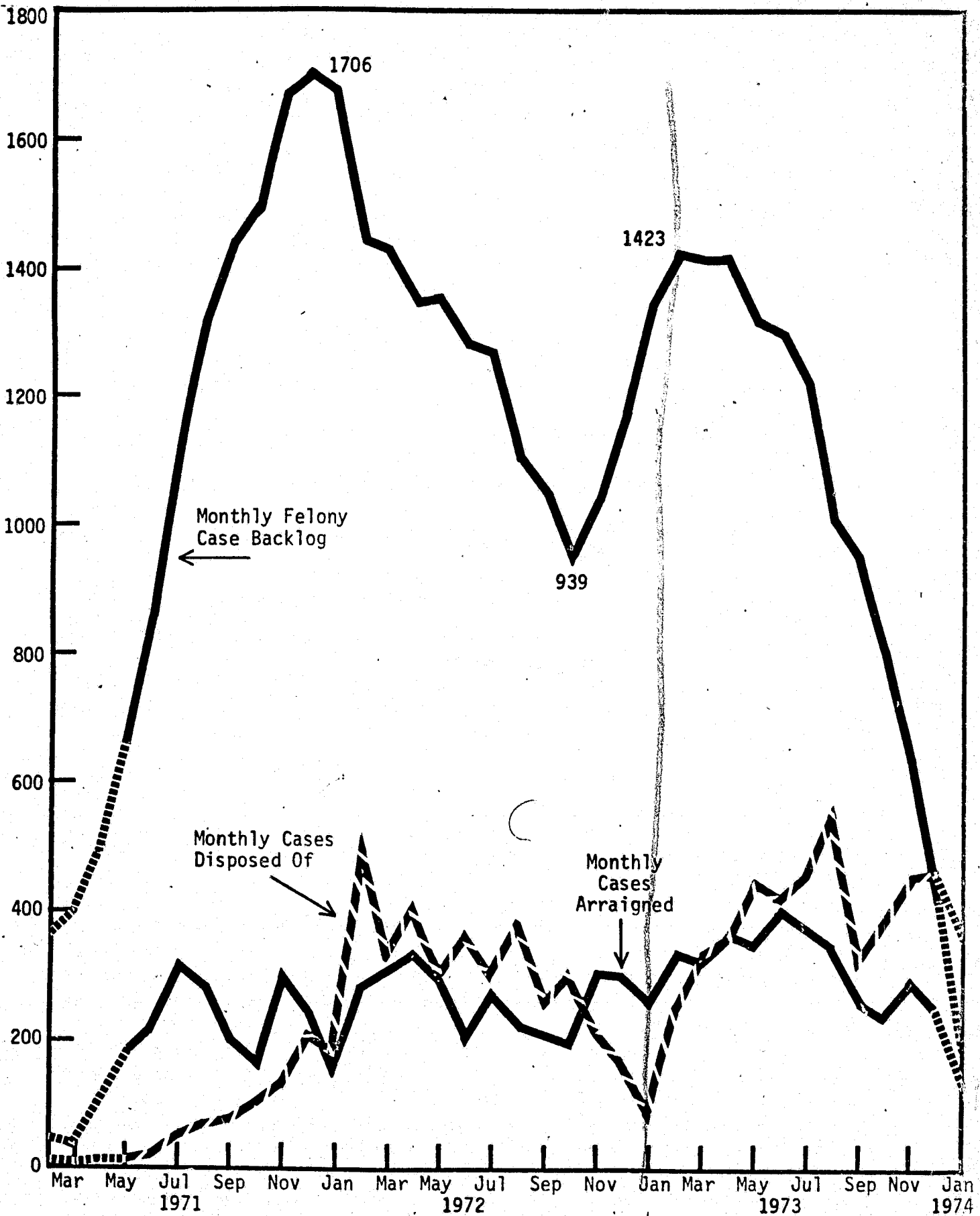
The addition of the visiting judges increased the Court's judicial manpower for criminal litigation by approximately 36 percent. During the 35 weeks the visiting judges sat in 1973, an average of 4.5 judges per week heard criminal cases, in addition to the Court's estimated average of 12.5 judges litigating criminal cases. In April, 1973, when the IMPACT-funded visiting judges began to hear cases, a total of 1,566 criminal cases had been arraigned but not yet tried; 216 of these cases had been awaiting trial for six months or longer. At the end of December, 1973, the total criminal case backlog of the Common Pleas Court diminished to 991 cases. Of the 216 cases which had been pending for more than six months in the spring, the backlog diminished to 40 cases. These figures are impressive. They support the conclusion that the visiting judges and the rest of the Common Pleas Court bench had, in 35 weeks with an average of 17 criminal trial judges sitting, reduced the Court's backlog of all felony cases by 37 percent and the "six-month cases" by 82 percent. \*

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\* According to the Court's most inclusive figures, the felony case backlog on December 31, 1973, was 991 criminal cases pending, 40 of which had been pending for more than six months. The two figures of 37 percent and 82 percent were computed on the basis of these end-of-year counts reported by the Central Scheduling Office. It should be noted, however, that Figure 2-1, based upon the JIS data base, indicates a much smaller backlog at the end of 1973. This variance is explained by the utilization of two different data sources: (1) in the case of the backlog percentages set forth above, data from the Central Scheduling Office, and (2) in the case of Figure 2-1, data from the JIS which includes adequate records on only 9,533 (59 percent) of the total of 16,241 criminal cases.



**Number of Cases**

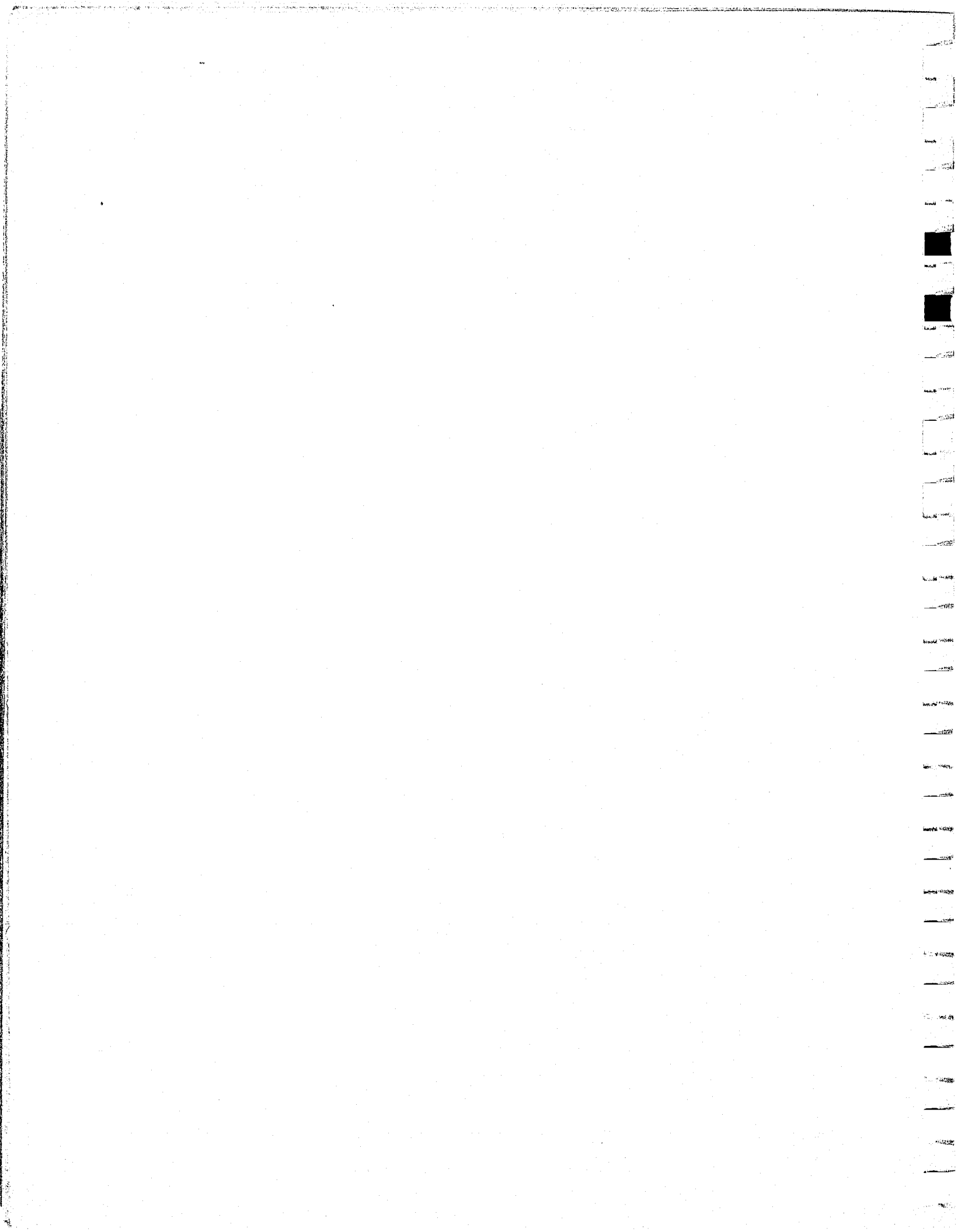


Partial Data

FIGURE 2-1

Partial Data

MONTHLY FELONY CASE BACKLOG, ARRAIGNMENTS, AND DISPOSITIONS  
 COMMON PLEAS COURT, FEBRUARY 1971-JANUARY 1974  
 (Data represent 9,533 of 16,241 cases)





During the 35-week period, a total of 22 different visiting judges heard 655 felony cases, representing 530 defendants. These defendants were charged in 313 IMPACT cases (266 defendants) and 342 non-IMPACT felony cases (264 defendants). \*

With respect to these cases, the visiting judges' contribution statistically reduces to (1) the fact that 617\*\* of the 655 cases resulted in terminations, representing an increase of 22 percent\*\*\* in the terminations that would have been expected without the visiting judge staffing increment, and (2) the fact that 294\*\*\*\* of the 617 case terminations

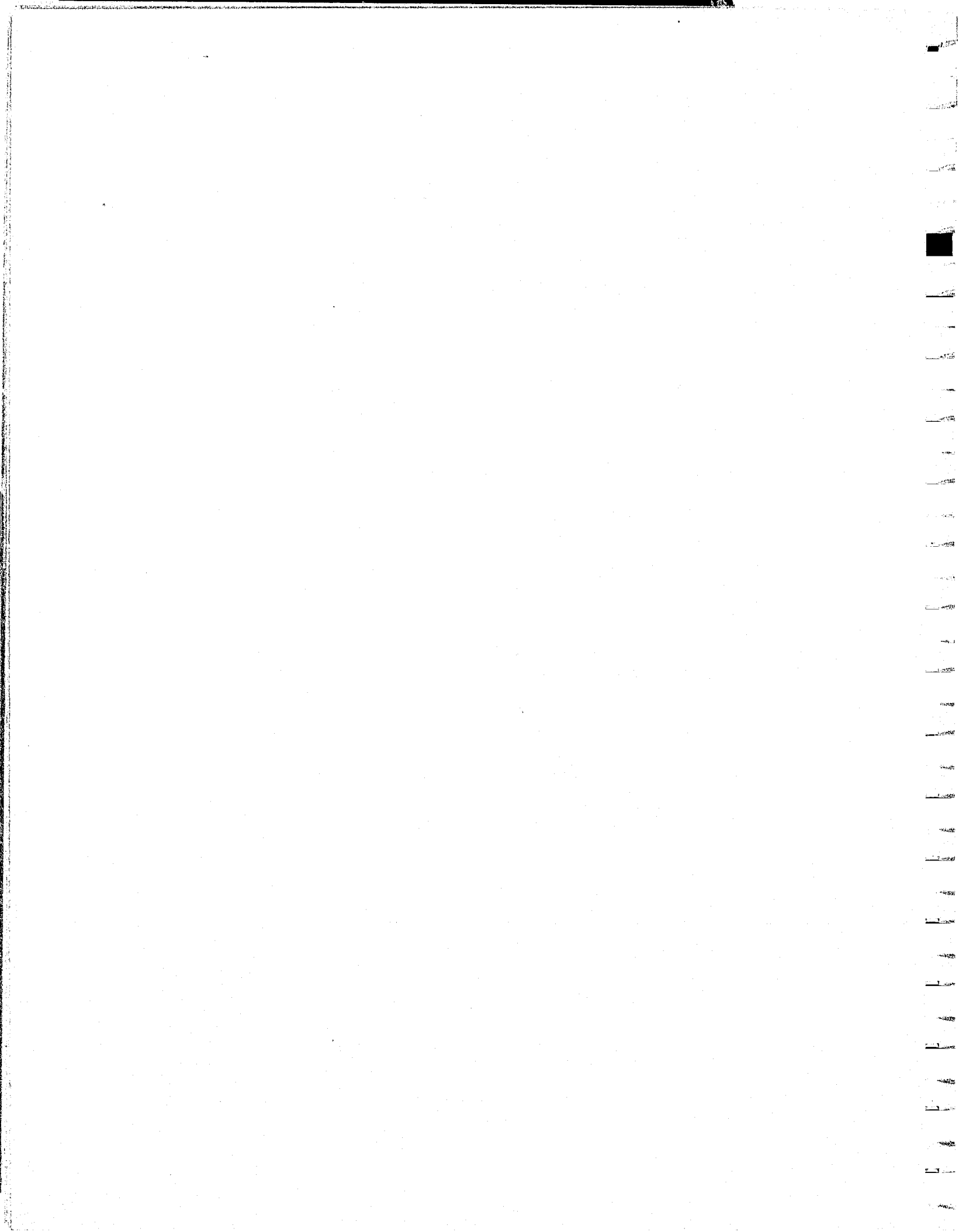
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\* As noted in the definitions of the Projects' target populations in Section I, IMPACT cases are those in which at least one charge is for an IMPACT crime, and a non-IMPACT case is one in which no charge is for an IMPACT crime. The FBI definitions of criminal homicide, forcible rape, robbery, aggravated assault, and burglary have been used as guidelines for classifying the crimes and cases.

\*\* Thirty-eight of the 617 cases were still pending at the end of 1973.

\*\*\* During the last 35 weeks of 1973, the Court would have been expected to terminate 2,818 cases without the visiting judges. See below in the text for the factoring procedure which explains computation of this figure. Specifically, there was a total of 4,643 case terminations by the entire Court during 1973. Subtracting the 617 visiting judge terminations from this figure leaves a difference of 4,026. Factoring this figure for the 35-week period results in a product of 2,818. The visiting judge increment of 617 cases therefore represents 22 percent of 2,818.

\*\*\*\* As a practical matter, the visiting judges could not be assigned IMPACT cases only. At the outset, there were not enough IMPACT cases ready for trial before the visiting judges. The Court's administration, including the Central Scheduling Office and the Administrative Judge, determined that the most effective immediate use of the visiting judges would be to assist the Court in reducing the backlog of very old cases where practicable for calendaring purposes. These cases were not separated into IMPACT and non-IMPACT for trial purposes. (Continued on following page.)



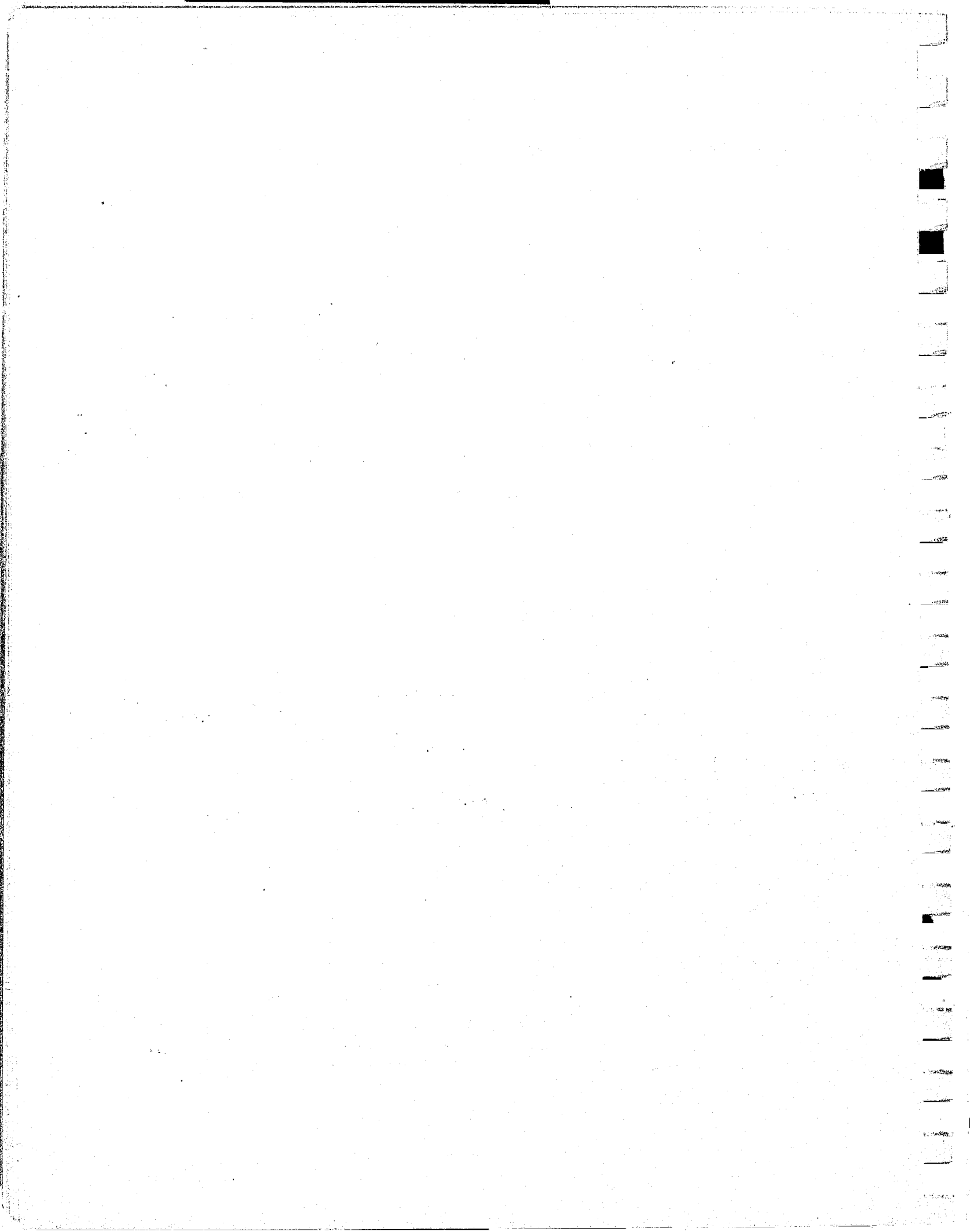
resulted from IMPACT prosecutions, representing an increase of 37 percent \* in the number of IMPACT case terminations that would have been expected without the additional judicial staffing increment. These results were computed by (1) subtracting the relevant visiting judge case terminations from the comparable case terminations for the entire Court for all of 1973, (2) factoring the difference (i. e., the case terminations for the entire Court less the visiting judge increment) for the 35-week period during which the visiting judges sat (i. e., representing 70 percent of the whole judicial year), and (3) computing the ratio between the visiting judge terminations and the factored full Court terminations. This mathematical procedure adjusts for the incremental contribution of the visiting judges in terms of commensurable time frames.

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\*\*\*\* (Continued from previous page.)

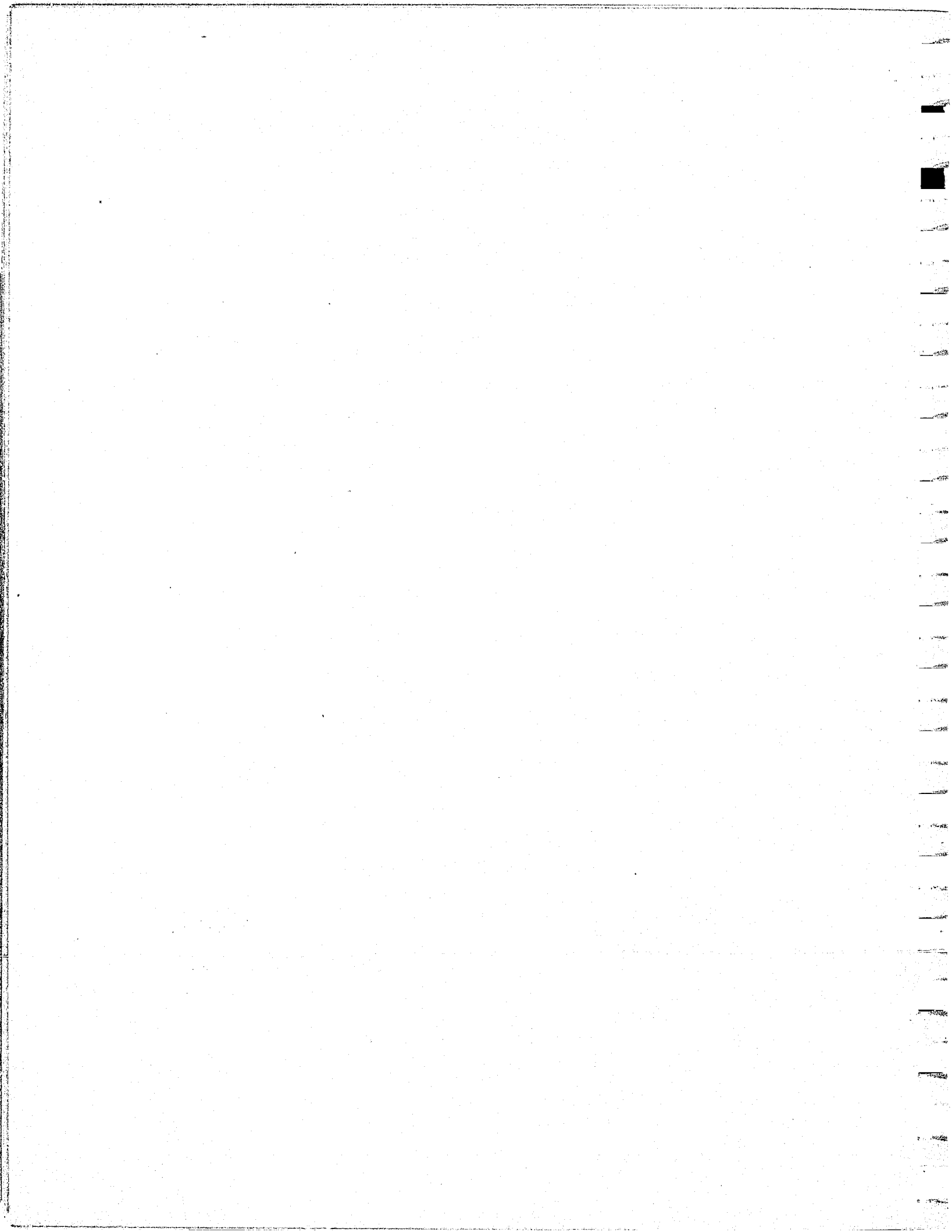
During the last 35 weeks of 1973, a non-IMPACT case was heard by a visiting judge when (1) the case was very old and required judicial resolution in conformity with speedy trial provisions, (2) the defendant had decided to enter a plea concerning the charge(s) pending, or (3) the defense and prosecution were ready for trial. In each of these instances, since the visiting judges had gained the respect of the local bar, including the understanding that they "meant business" with respect to delay, the visiting judges were able to expeditiously litigate these cases. The visiting judges appeared to be particularly effective in disposing of backlog cases which had been continued many times or had been subject to other delay tactics of the prosecution and/or defense.

\* During the last 35 weeks of 1973, the Court would have been expected to terminate 995 IMPACT cases without the visiting judges. Specifically, there was a total of 1,422 IMPACT case terminations by the entire Court during 1973. Subtracting the 294 visiting judge IMPACT terminations from this figure leaves a difference of 1,128. Factoring this figure for the 35-week period results in a product of 790. The visiting judge increment of 294 therefore represents 37 percent of 790.



The first of the operational hypotheses stipulated that "if additional staffing is available for adjudication of felony cases, then a reduction in the Court's criminal case backlog should be expected." Given the performance results, the Visiting Judge Component, which represented a 36 percent increase in judicial manpower over slightly more than an eight-month period, contributed substantially to the reduction of the entire Court's felony case backlog by 37 percent, the Court's reduction of the six-month case backlog by 82 percent, and increased the number of felony case terminations and IMPACT terminations by 22 percent and 37 percent respectively. Further analysis of the data shows that these results were not accomplished by a preoccupation with case dispositions for the sake of greater numbers. For example, of 46 homicide cases disposed by the visiting judges, 12 were terminated by pleas, five were "nolled" by the Prosecutor, while three were tried by the Court, and 26 (57 percent) were tried by juries. These 26 jury trials consumed a total of 166 trial days. Detailed analysis of the other IMPACT-specific case dispositions will be documented in subsequent evaluation reports.

The second operational hypothesis stipulated that "if there is a significant reduction in the Court's backlog, then the expectation should be that more cases were adjudicated over shorter periods of elapsed time between arraignment and a Common Pleas disposition." This hypothesis is related to the first insofar as a reduction in case backlog means either an additional



increment in judicial staffing was proportionate to the adjudication of the larger felony caseload over time or felony delay time was reduced. The performance data with respect to the backlog reduction indicate that impressive gains were made during the last eight months of 1973. The backlog reduction of nearly 37 percent, and the "six-month case" backlog reduction of 82 percent represent a performance significantly greater than the additional judicial staffing increment (36 percent) represented by the visiting judges. The Court's performance invites the inference therefore that felony as well as IMPACT cases were litigated in shorter periods of elapsed time between arraignment and a Common Pleas disposition. Indeed, the felony delay data for the last eight months of 1973 support such an inference.

Comparative examination of felony case delay data for 1972 and 1973 is helpful background before specific examination of the visiting judge felony case delay data for the 35-week period. Table 2-3 presents comparative 1972-1973 criminal caseload and delay times for the entire Court of Common Pleas.\* The data show that despite a 31.7 percent increase in the number of cases which resulted in judicial terminations, there was a 15.2 percent decrease in the average elapsed time between arraignment and final disposition (i. e., termination).\*\* The data also show an 11.6 percent reduction in average IMPACT case delay time. The table presents these data on a crime-specific basis for the five IMPACT offenses and presents

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\* The JIS data base was used to prepare this table. See the explanatory JIS footnote, supra at p. 2-14.

\*\* Final disposition or termination is defined as the date of dismissal, acquittal, "nolle," or sentencing.

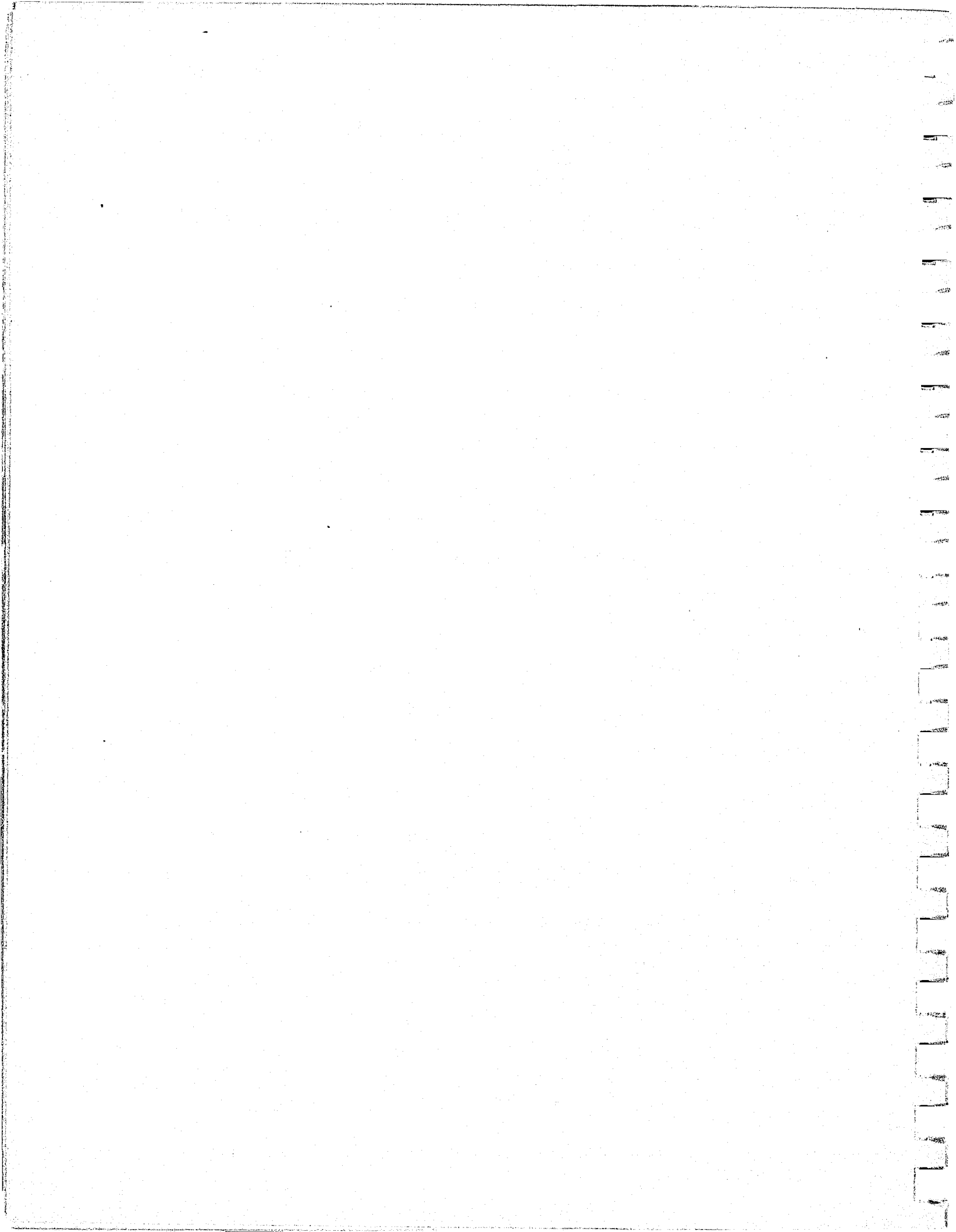


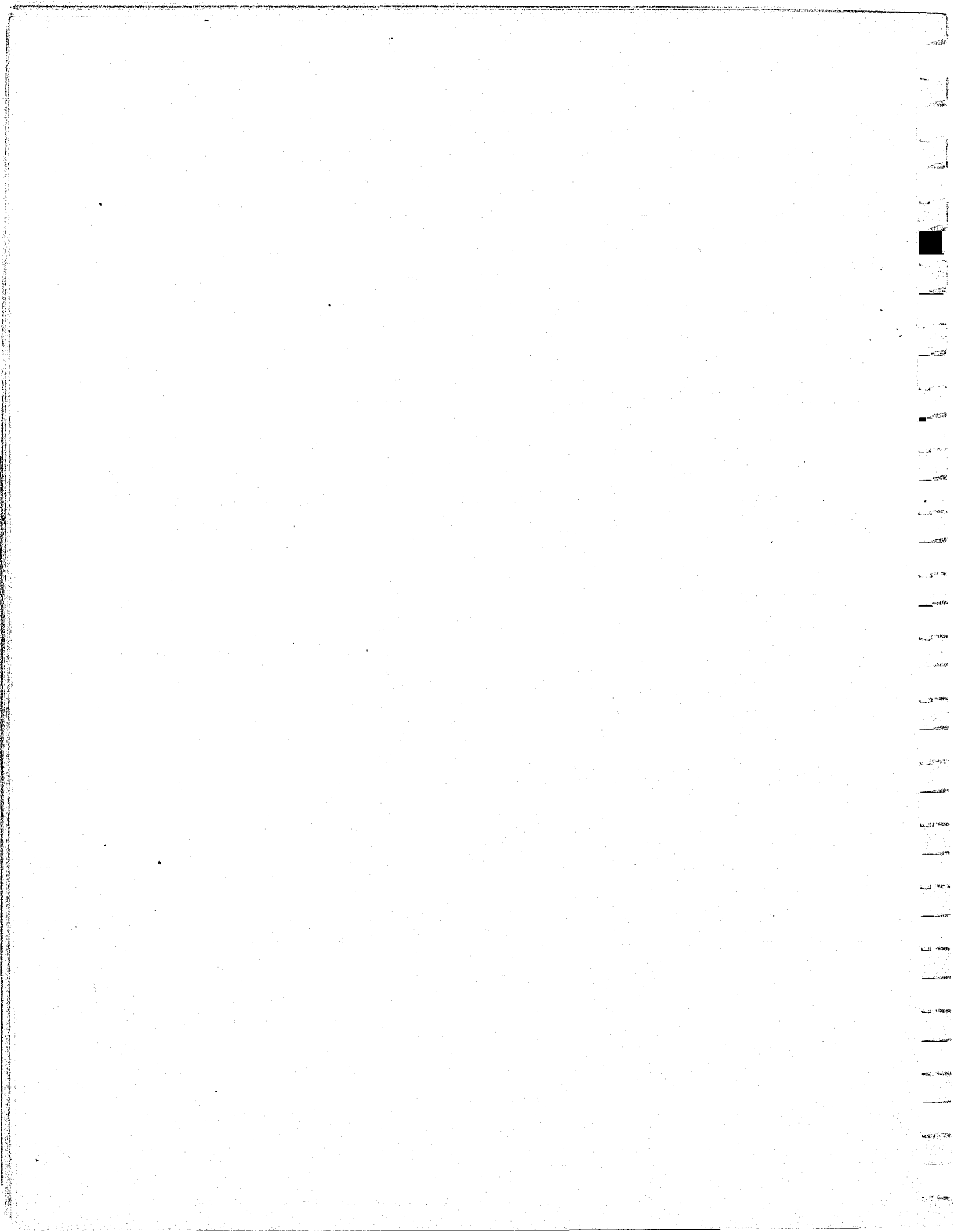


TABLE 2-3

CRIMINAL CASELOAD AND DELAY TIMES  
COMMON PLEAS COURT, 1972 AND 1973  
VISITING JUDGES, APRIL 23 TO DECEMBER 31, 1973

CHARGE TYPE	ALL CASES						CONVICTIONS						CONVICTIONS * Visiting Judges	
	1972		1973		Percent Change, 1973 from 1972		1972		1973		Percent Change, 1973 from 1972		No. of Cases	Average Calendar Day Delay
	No. of Cases	Average Calendar Day Delay	No. of Cases	Average Calendar Day Delay	Cases	Delay	No. of Cases	Average Calendar Day Delay	No. of Cases	Average Calendar Day Delay	Cases	Delay	Cases	Day Delay
Homicide	138	174	169	152	22.5	(12.6)	105	177	94	138	(10.5)	(22.0)	15	45
Forcible Rape	48	181	62	160	29.2	(11.6)	33	169	35	137	6.1	(18.9)	12	36
Robbery	428	152	451	132	5.4	(13.2)	282	141	264	124	( 6.4)	(12.1)	22	56
Aggravated Assault	271	156	317	131	17.0	(16.0)	179	139	182	112	( 1.7)	(19.4)	9	38
Burglary	457	122	423	110	(7.4)	( 9.8)	386	115	334	92	(13.5)	(20.0)	40	48
SUBTOTAL IMPACT	1,342	146	1,422	129	6.0	(11.6)	985	135	909	112	( 7.7)	(17.0)	98	47
Larceny													9	34
Auto Theft													31	39
Weapons													13	51
Narcotics													32	52
All Other													17	48
SUBTOTAL OTHER	2,184	133	3,221	112	47.5	(15.8)	1,680	122	2,254	87	34.2	(28.7)	102	46
TOTAL ALL	3,526	138	4,643	117	31.7	(15.2)	2,665	127	3,163	94	18.7	(26.0)	200	46

\* See note in text, page 2-24, for description and qualification of the data in these two columns



an aggregation for all other felony cases. The reductions of average elapsed time range from a minimum of 9.8 percent for burglary to a maximum of 16 percent for aggravated assault. In terms of average elapsed calendar days, these reduction percentages represent the difference between a 1972 average of 146 days between arraignment and termination to a 1973 average of 129 days for all criminal dockets of the Court.

The visiting judge data are more impressive. This conclusion requires some orientation with respect to the data and their interpretation. Table 2-4 summarizes the visiting judge case dispositions by crime type in the first five columns. Six hundred seventeen (94 percent) of these cases have been terminated, 405 of which resulted in convictions and 212 of which resulted in dismissals, acquittals, or "nolles."\* As already noted, 38 (six percent) of the cases were still pending at the end of 1973 because the defendants had failed to appear in court, i. e., "jumped bond."\*\* The 617 cases involved 497 defendants, 349 of whom were

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\* "Nolle" is colloquial for nolle prosequi, an entry filed by the County Prosecutor denoting that the prosecution intends to proceed no further with the criminal action. Cases which are "nolled" may be refiled at a later date. Dismissals are dispositions by the Court "with prejudice," and in general may not be filed again. The dismissals indicated in Table 2-4 include those dismissed on the recommendation of the prosecution.

\*\* This set of circumstances is referred to colloquially as "BFC," meaning Bond Forfeiture, Capias. Strictly, this means that the defendant has failed to appear in court or has otherwise violated the conditions of his release, with or without bail. A capias is a judicial writ issued by the Court for the defendant's arrest, requiring that the defendant be brought before the Court by the Sheriff. The writ has the same effect as issuance of a bench warrant for the arrest of the defendant.

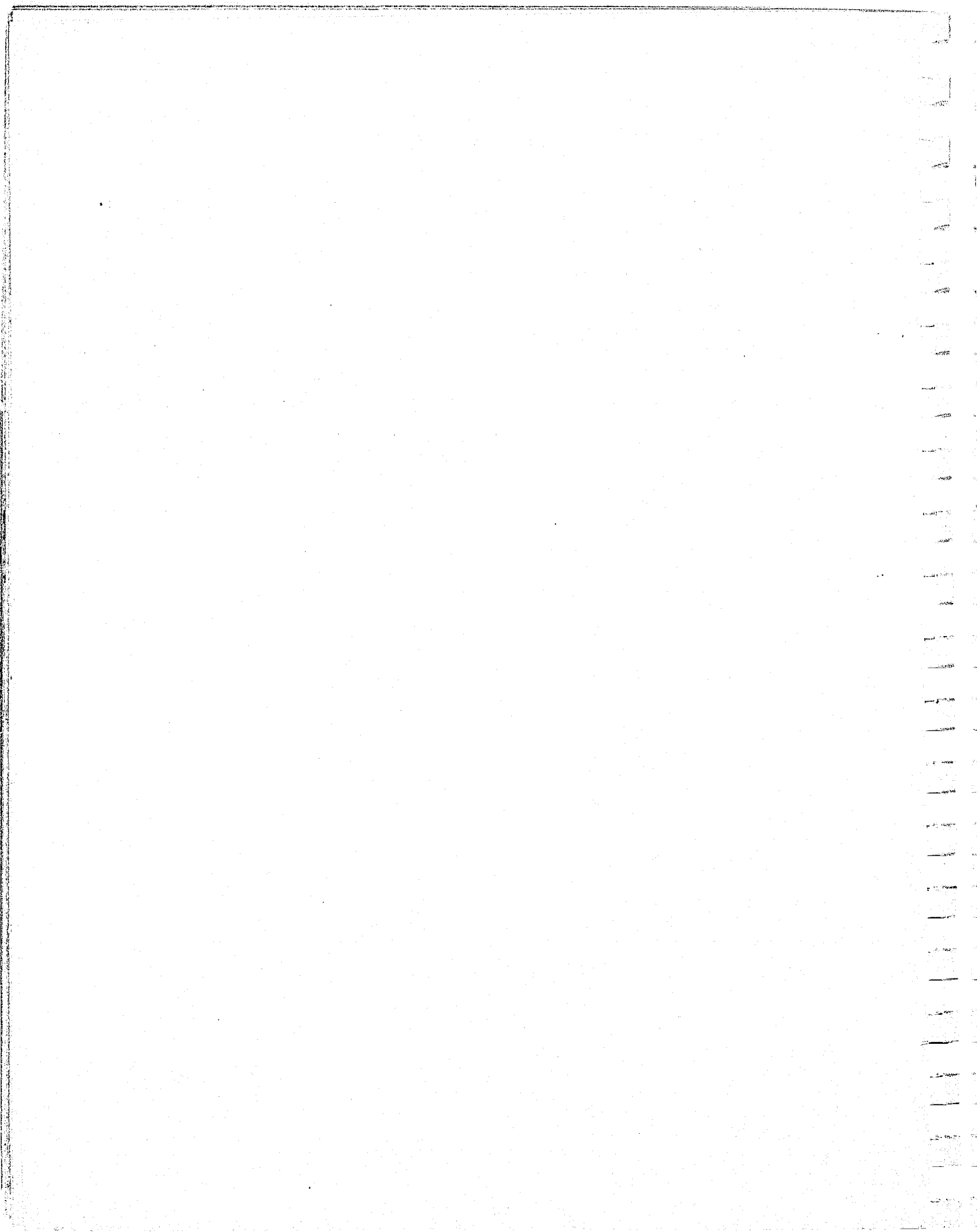
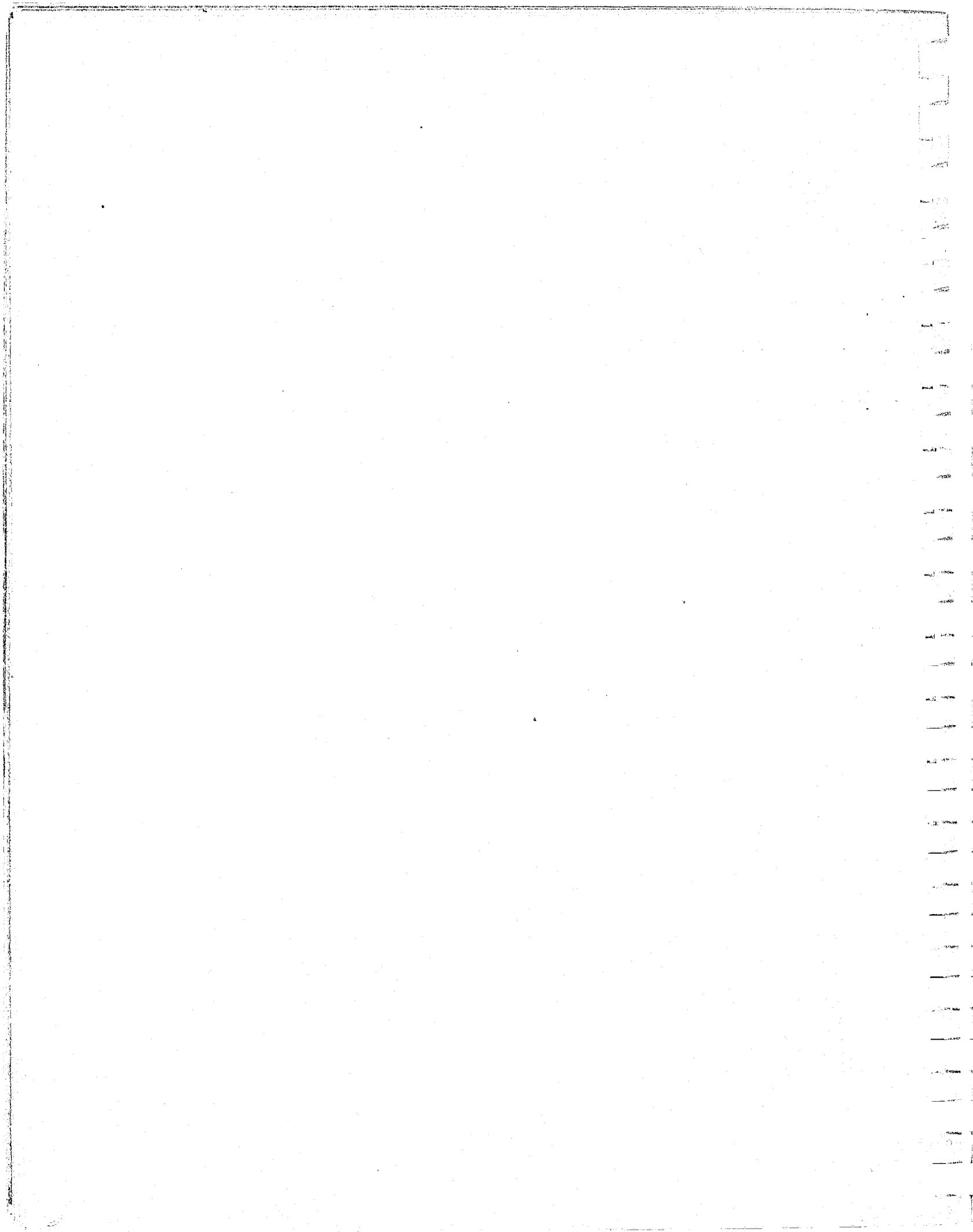


TABLE 2-4

## VISITING JUDGE CASE DISPOSITIONS (APRIL 23 TO DECEMBER 31, 1973)

CRIME TYPE		TOTAL	NOT TERMINATED (BFC)	ALL COUNTS DAN*	CONVICTED ON AT LEAST ONE COUNT	
					CONVICTION ON ALL COUNTS	DAN* ON ONE OR MORE COUNTS
TOTAL	NUMBER OF CASES DEFS.	655 530	38 33	160 148	405 349	52
HOMICIDE	CASES DEFS.	52 50	1 1	16 16	34 33	1
FORCIBLE RAPE	CASES DEFS.	26 21	1 1	6 6	16 14	3
ROBBERY	CASES DEFS.	113 98	9 7	28 28	68 63	8
AGGRAVATED ASSAULT	CASES DEFS.	37 32	2 2	17 16	14 14	4
BURGLARY	CASES DEFS.	85 65	6 6	13 12	61 47	5
IMPACT ONLY	CASES DEFS.	313 266	19 17	80 78	193 171	21
GRAND LARCENY	CASES DEFS.	30 25	2 2	10 10	17 13	1
AUTO THEFT	CASES DEFS.	87 66	6 4	17 15	58 47	6
WEAPONS	CASES DEFS.	59 40	5 4	8 6	37 30	9
NARCOTICS	CASES DEFS.	95 75	4 4	26 23	55 48	10
ALL OTHER	CASES DEFS.	71 58	2 2	19 16	45 40	5

\*Dismissed, Acquitted or Nolleed



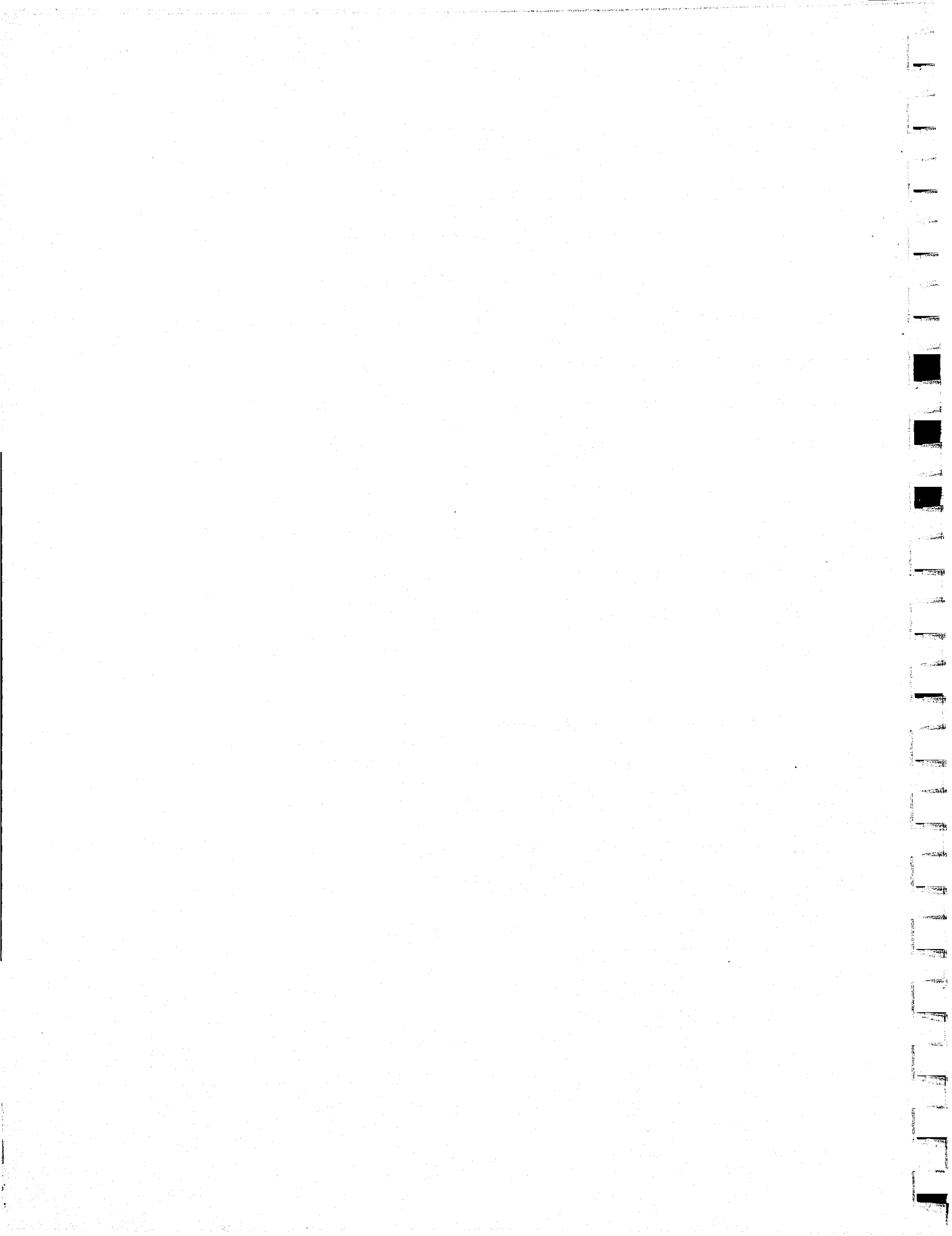
convicted on at least one count and 148 of whom were dismissed, acquitted, or "nolled" with respect to all charges. Therefore, of the 617 cases and 497 defendants prosecuted before the visiting judges during the 35 project weeks, 66 percent of the cases resulted in convictions with 70 percent of the defendants having been convicted.

In the final righthand column of Table 2-3, felony delay data are presented for 200 of the 405 cases which resulted in convictions. These data were obtained from the Visiting Judge Component summary sheets, compiled by Project personnel in the Common Pleas Court Central Scheduling Office. To the maximum extent feasible, they were verified from data on the JIS data tape with respect to cases and defendants from April 1, 1971 through January 16, 1974. The delay data indicate that from case assignment to sentencing, the average case delay was 46 calendar days, or approximately 30 court days. The average case delay, for 98 of the convictions where at least one of the initial charges was an IMPACT charge, was 47 calendar days, or approximately 31 court days. These results are in striking contrast to the delay times set forth in Table 2-3 for the entire Court. The case delay averages for 1972 and 1973 for the entire Court were much higher, 146 and 129 calendar days respectively as shown in the table. Because of the large and very favorable variance in the delay times between the visiting judges' and the Court's overall results, an effort was made to identify any errors or biases in the available data for the 200 cases of the total 405 convictions.

**CONTINUED**

**1 OF 3**





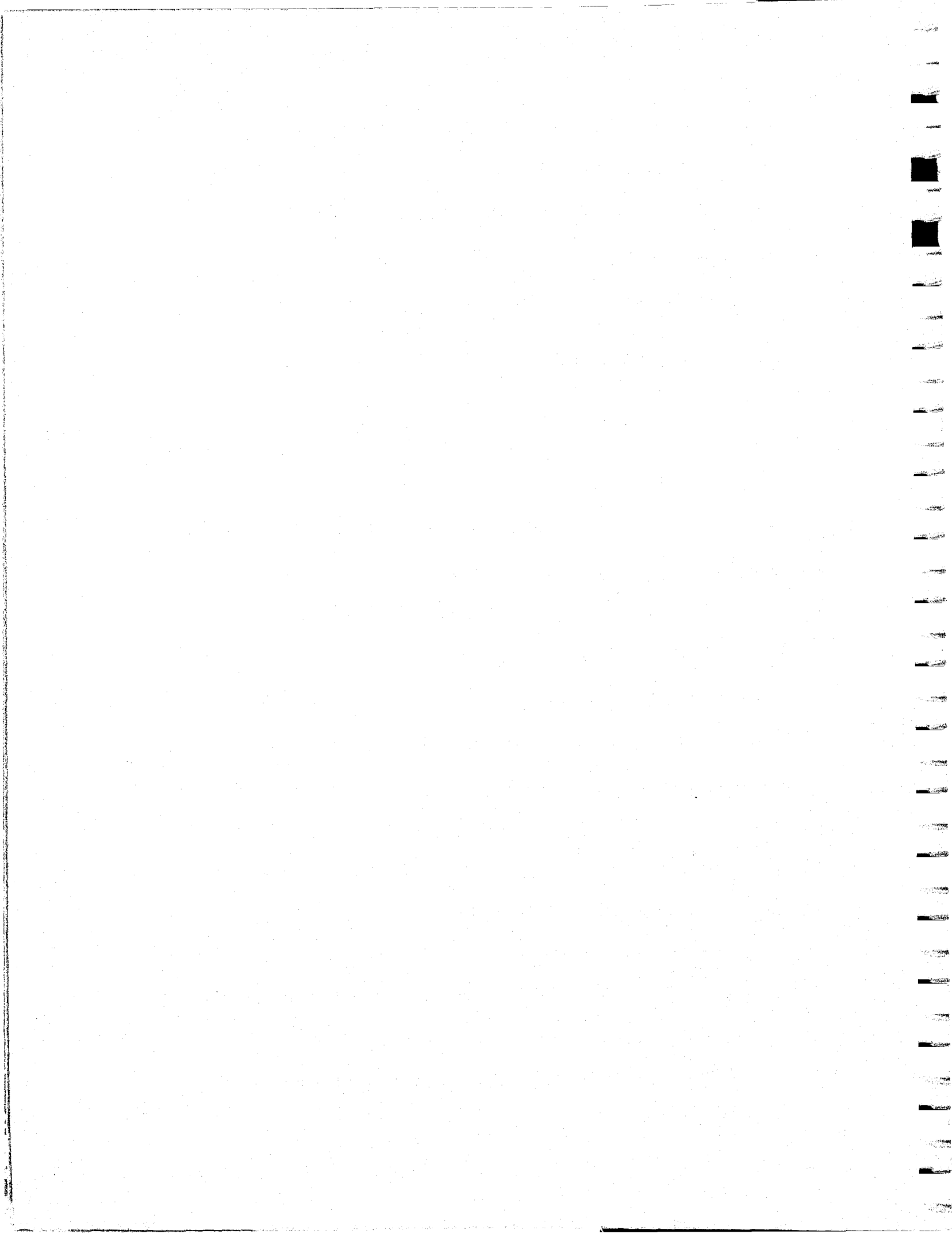
future evaluations. With an additional staffing increment of 36 percent more criminal judges over a period of eight months, the Court of Common Pleas succeeded in reducing its felony case backlog by 37 percent and its "six-month case" backlog by 82 percent. With the same staffing increment over the same time frame, the Court also reduced the felony delay time for cases which resulted in convictions. Specifically, the Court reduced this time by 40 percent over 1973 and 64 percent over 1972.

Preliminary data on January-February 1974 activities of the visiting judges indicate that their impressive 1973 performance is continuing and in some instances improving. Future improvement may be necessary in view of the fact that the new Ohio Criminal Code took effect on January 1, 1974. The new Code requires that trial be commenced within 90 days of arrest in cases where the defendant is detained in jail and within 270 days of arrest if a defendant is released on bail.\* Cases which are not brought to trial in accordance with these statutory limitations may, upon motion of the defense, be dismissed. The dismissal has the effect of a "nolle," and the relevant language provides that "such discharge is a bar to any further criminal proceedings against [the defendant] based on the same conduct." \*\* In the future, these legal constraints are likely to present substantial difficulties to the County Prosecutor's

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\* ORC 2945.71 and 2945.72.

\*\* ORC 2945.73.

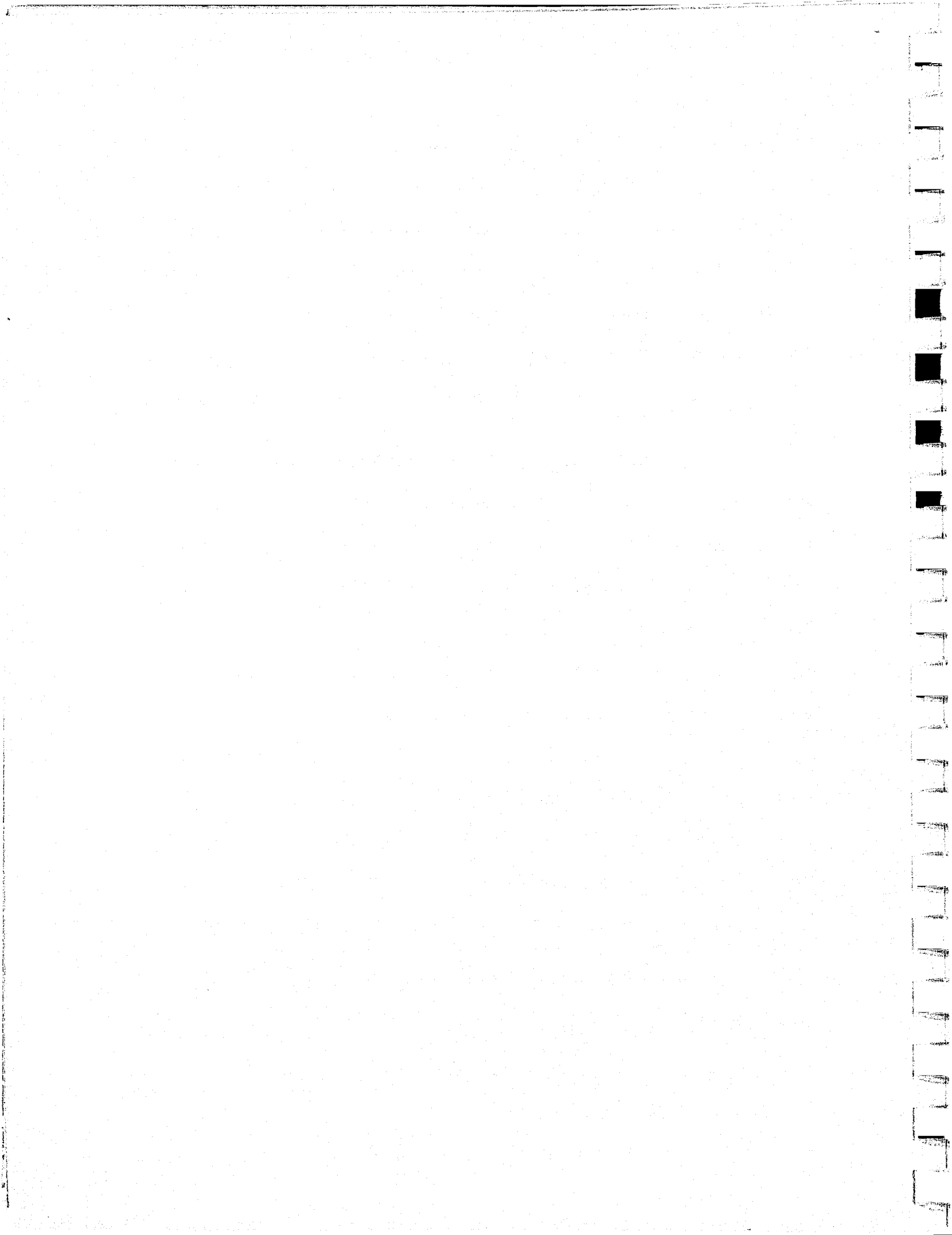


In order to verify the representativeness of these 200 cases, a 58 percent (n=234) random sample was drawn from the 405 conviction cases data base. The tabulation of the delay time data in the sample revealed an error of 2.3 percent from the total case average of 46 days (n=200). Specifically, the random sample tabulation resulted in a delay average of 47.05 days, a negligible difference statistically speaking. In other words, there is reason for considerable confidence in the available data. The visiting judges did litigate their cases over significantly shorter periods of time between case assignment and sentencing. Given either 1973 or 1972 as a baseline for comparison, \* the visiting judges litigated cases on their dockets, which resulted in convictions, over periods which were shorter by 40 percent over 1973 and 64 percent over 1972.

The two operational hypotheses, which were formulated to test the effectiveness of the Visiting Judges Component, were predicated on the premise that an additional judicial staffing increment would result in a reduction of the felony case backlog and a reduction of felony delay times. Given the results yielded by the Component, the hypotheses can be expressed in terms of actual empirical results as a baseline for

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\* The last study concerning felony delay times in the Court of Common Pleas was published in 1971: The Institute for Court Management, THE FELONY PROCESSING SYSTEM, CUYAHOGA COUNTY, OHIO, Denver: The Institute for Court Management (June 1971). According to the study, based upon a series of relatively small samples, the delay time between a felony arrest and an arraignment in the Court of Common Pleas was approximately 58 days and the delay time between Common Pleas arraignment and disposition was approximately 126 days. Ibid., p. 36, and pp. 10-37.

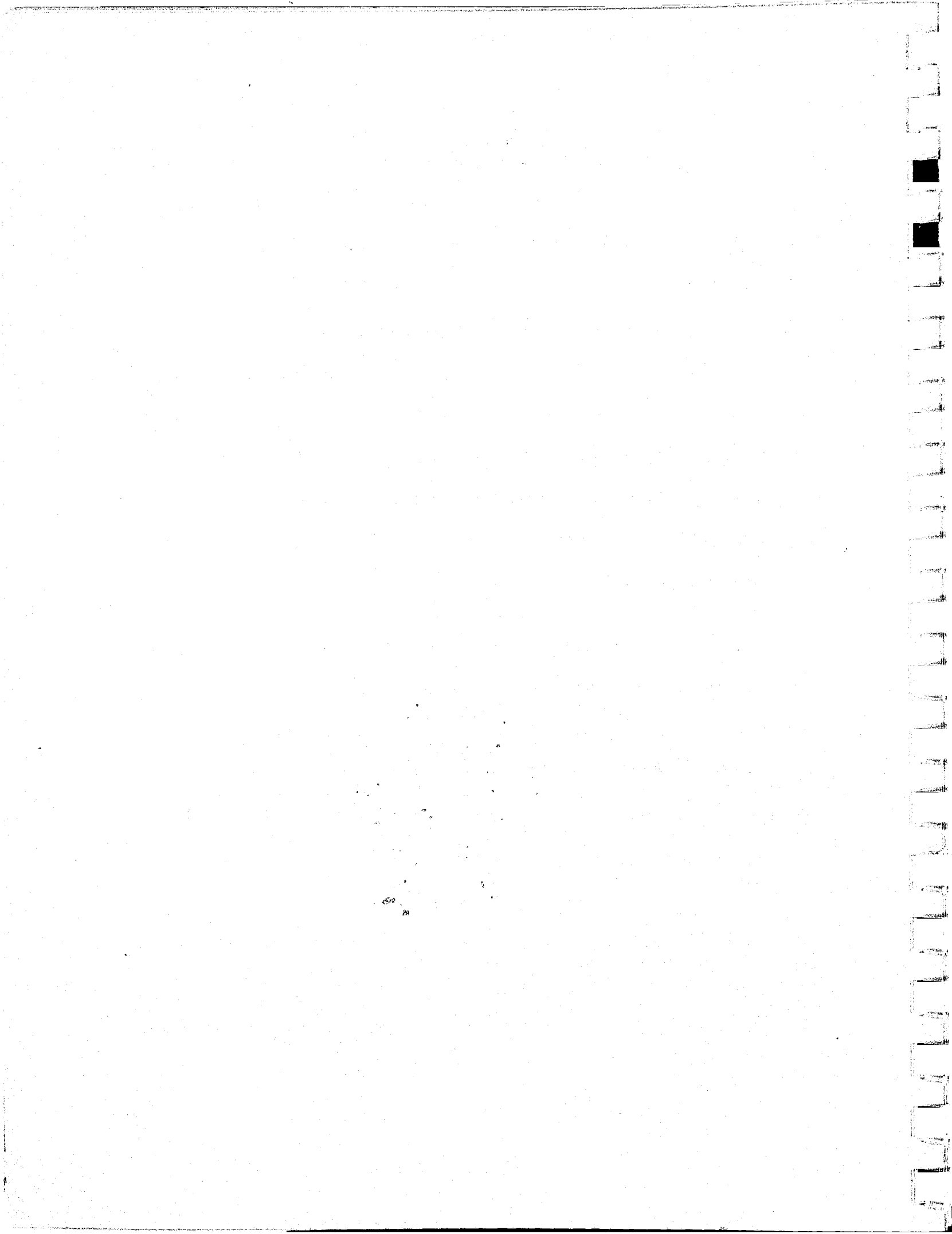


Office and the Court of Common Pleas. For example, the average delay time for the entire Court in 1973 was 117 calendar days for felony cases and 129 days for IMPACT cases. These measures are in excess of the 1974 statutory maximum by 27 and 39 days respectively.\* When it is further noted that the visiting judges' contribution assisted in reducing the 1973 felony delay average by 21 days from the 1972 average of 138 and the 1973 IMPACT delay average by 17 days from the 1972 average of 146, it is obvious that still further reductions will be necessary this year to meet the new legal requirements if these averages apply to cases where defendants are pre-trial detainees. Subsequent analyses will permit statistical clarification of this problem.

The Visiting Judges Component made a very significant start toward satisfying the new 1974 requirement insofar as the judges demonstrated that difficult cases can be litigated faster without compromising due process requirements. Indeed, the visiting judges appeared to have enhanced very ably the effect of one key constitutional right, the right to a speedy trial.

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\* This statement should be qualified to the extent that these two delay measurements do not take any account of the issuance of continuances, requested by either prosecutors or defense counsel during any phase of the criminal proceedings between arraignment and disposition, and moreover, as noted below reflect no breakdown between detained defendants and released defendants.



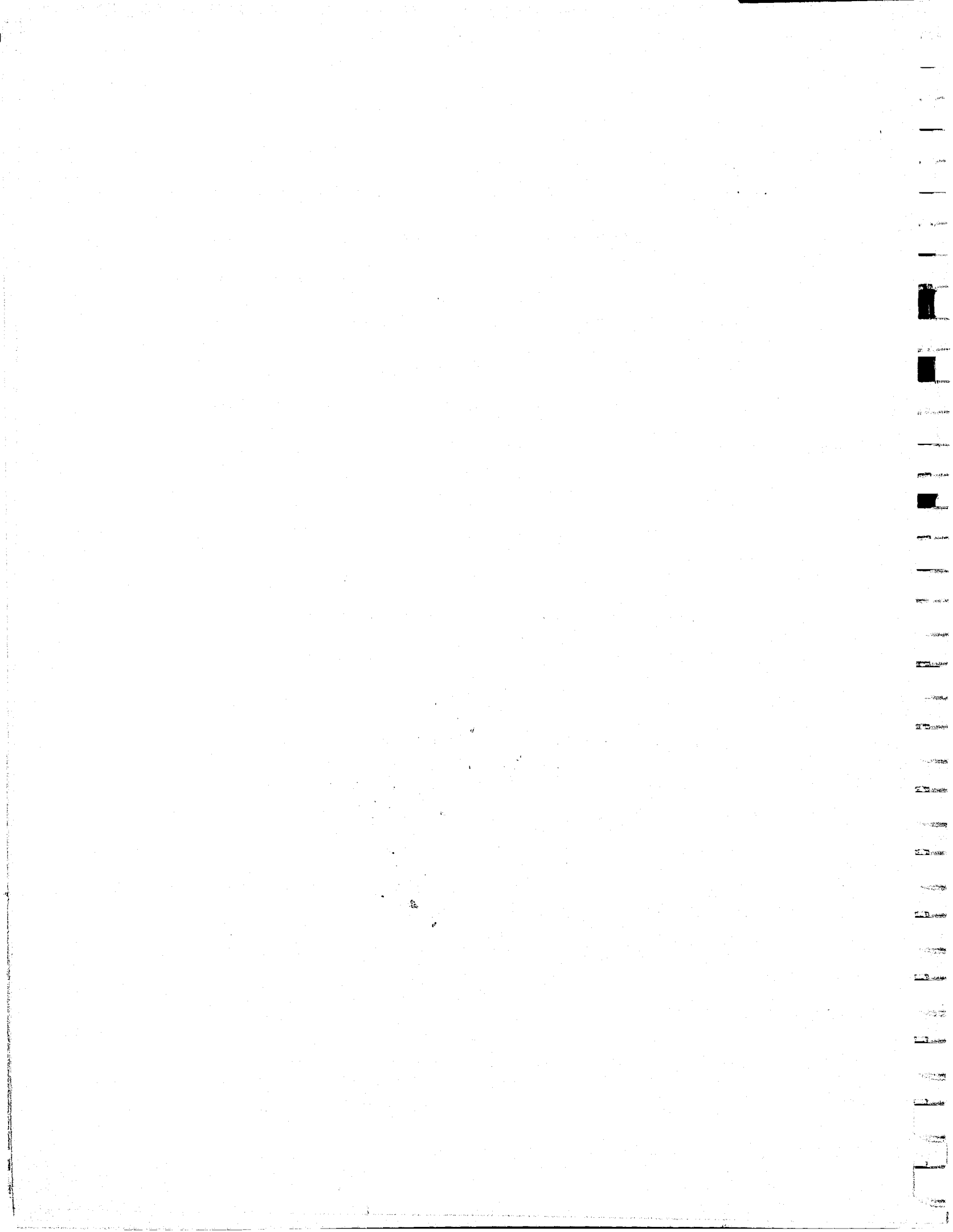
### Component 2: County Prosecutor's Office

The performance data for the Prosecutor's Office and the IMPACT-funded Assistant County Prosecutors are nearly identical to those of the Visiting Judges Component. All cases presented to the visiting judges were prepared by the County Prosecutor's Office; however, all cases were not presented by the IMPACT-funded prosecutors. In order to ensure adequate prosecution of the State's case, a more experienced prosecutor was sometimes assigned to the actual trial of the case. This staffing approach was based on the individual requirements of each case, including, for example, the complexity of the case-in-chief, the expected outcome of procedural problems, evidentiary complexity, and the trial staff's commitment to obtaining a conviction on the defendant's original charge. IMPACT funding for seven lawyers and one clerk-stenographer enabled the Prosecutor to allocate staff resources most effectively, consistent with the office's professional and statutory commitments. The Prosecutor's Office reported dispositions of 610 cases before the visiting judges from April 23 to December 31, 1973.

### Component 3: Counsel for the Indigent

The Defender Office of the Legal Aid Society of Cleveland employed 29 additional staff members to handle the defense of indigents before the





visiting judges. The following Office personnel were assigned to the project:

<u>Personnel Type</u>	<u>Number of Positions</u>	
	<u>Total</u>	<u>IMPACT-Funded</u>
Trial Counsel	12	8
Law Student/Intern	7	4
Social Worker	3	1
Investigator	3	2
Secretary-Typist	4	2
Administrative	(As Needed)	

The Office's Student Interns interviewed prospective clients six nights per week in the Cleveland City Jail, East 21st Street at Payne Avenue. Recommendations for representation were presented to Defender Office attorneys the next morning before the Preliminary Hearings in Cleveland Municipal Court. Defendants who met the Office's guidelines for indigency and who were charged with IMPACT crimes allegedly committed in the City of Cleveland were screened for possible representation at the Preliminary Hearing.

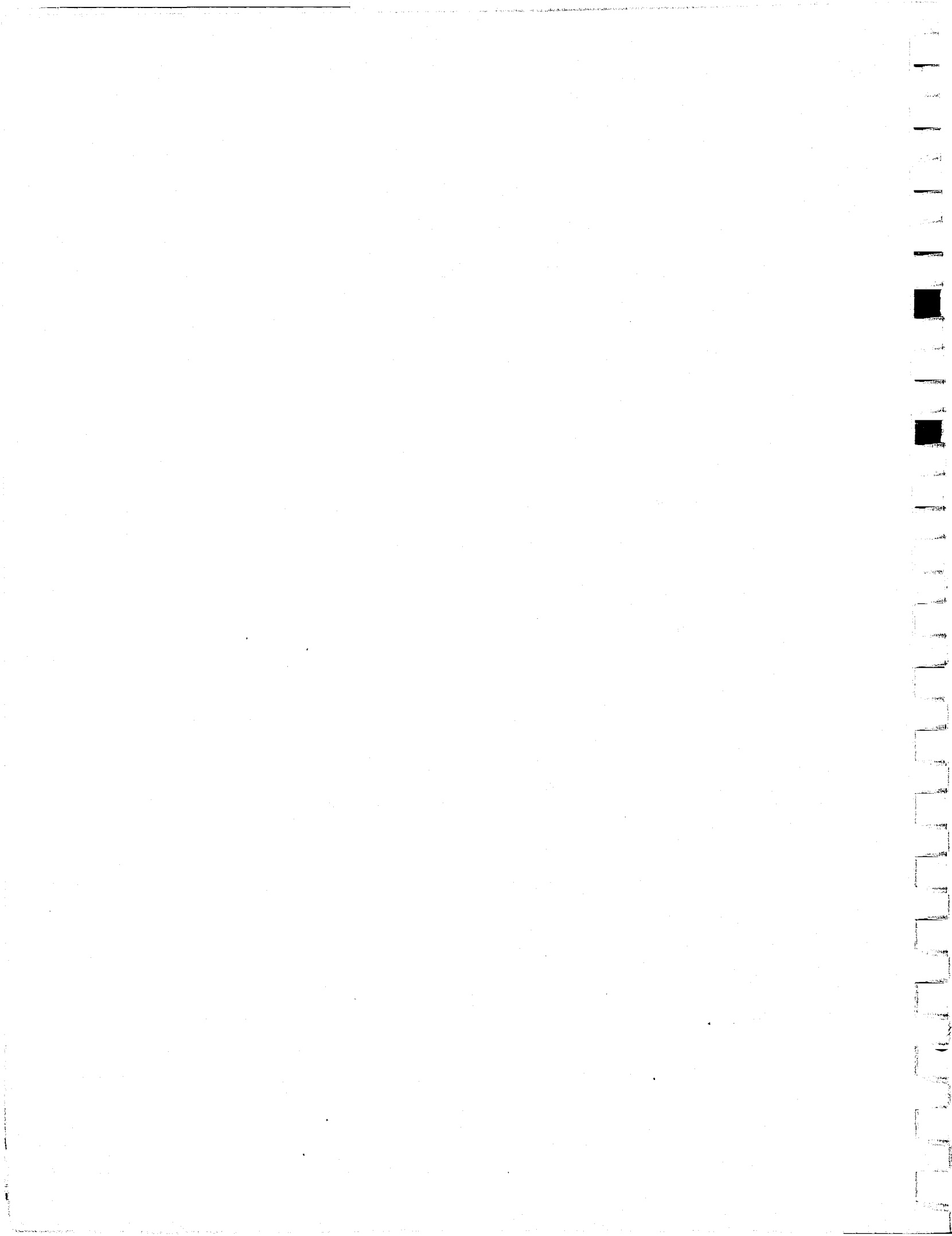
The volume of cases and the attendant workload of the Defender's Office usually resulted in a lapse of two to four weeks between the Preliminary Hearing and the Defender Office's decision to assume responsibility for the case in Common Pleas Court. In addition to those cases carried over from Municipal to Common Pleas Court, new cases were assigned at Common Pleas arraignment. In many instances, however, the Common Pleas judge was not advised that the defendant had retained the Defender's

2/6

Office as counsel. As a result, another assignment to the Office or an assignment to a private court-appointed attorney sometimes resulted. This lack of communication and the resulting procedural complexities perturbed the management of the Defender Office's case preparation activities. Staff limitations within the Office constrained representation solely on the basis of assessment of the probability of conviction or the trial defense needs of the defendant. Cases were instead undertaken on an as-available, first-come, first-serve basis.

The one-year objective of the Counsel for the Indigent Component was to represent 1,302 indigent defendants charged with IMPACT crimes. In addition, the Defender's Office entered into an agreement with the Court of Common Pleas to represent 400 indigent IMPACT defendants in felony cases presented before the Court during a 12-month period. During the 35 weeks from April 23 to December 31, 1973, the Defender's Office represented 783 indigent defendants, of whom 526 were represented only in Cleveland Municipal Court and 257 were represented in Cleveland Municipal and Common Pleas Courts. Approximately 82 percent (642) of these defendants were charged with IMPACT crimes.

A separate data reporting system in the Common Pleas Court indicated that from April 23 to November 30, 1973, the Defender's Office had represented or agreed to represent 179 indigent defendants charged



with IMPACT crimes in Common Pleas Court. These defendants had been represented by the Defender's Office in Municipal Court, and had subsequently been indicted and bound over to Common Pleas Court. Thirteen additional defendants were represented by the Defender's Office in Municipal Court, but their cases were later dismissed or "nolled" at arraignment or the arraignment judge had elected not to assign the Defender's Office to continue with the case. The Defender's Office has received case assignments averaging 25.6 cases per month. In order to meet its IMPACT objective, Project personnel have indicated that an assignment rate of approximately 35 new cases per month is necessary. This is the principal problem confronting the Defender's Office with respect to IMPACT cases. Steps are being taken to resolve this problem between the Common Pleas Court and the Defender's Office.

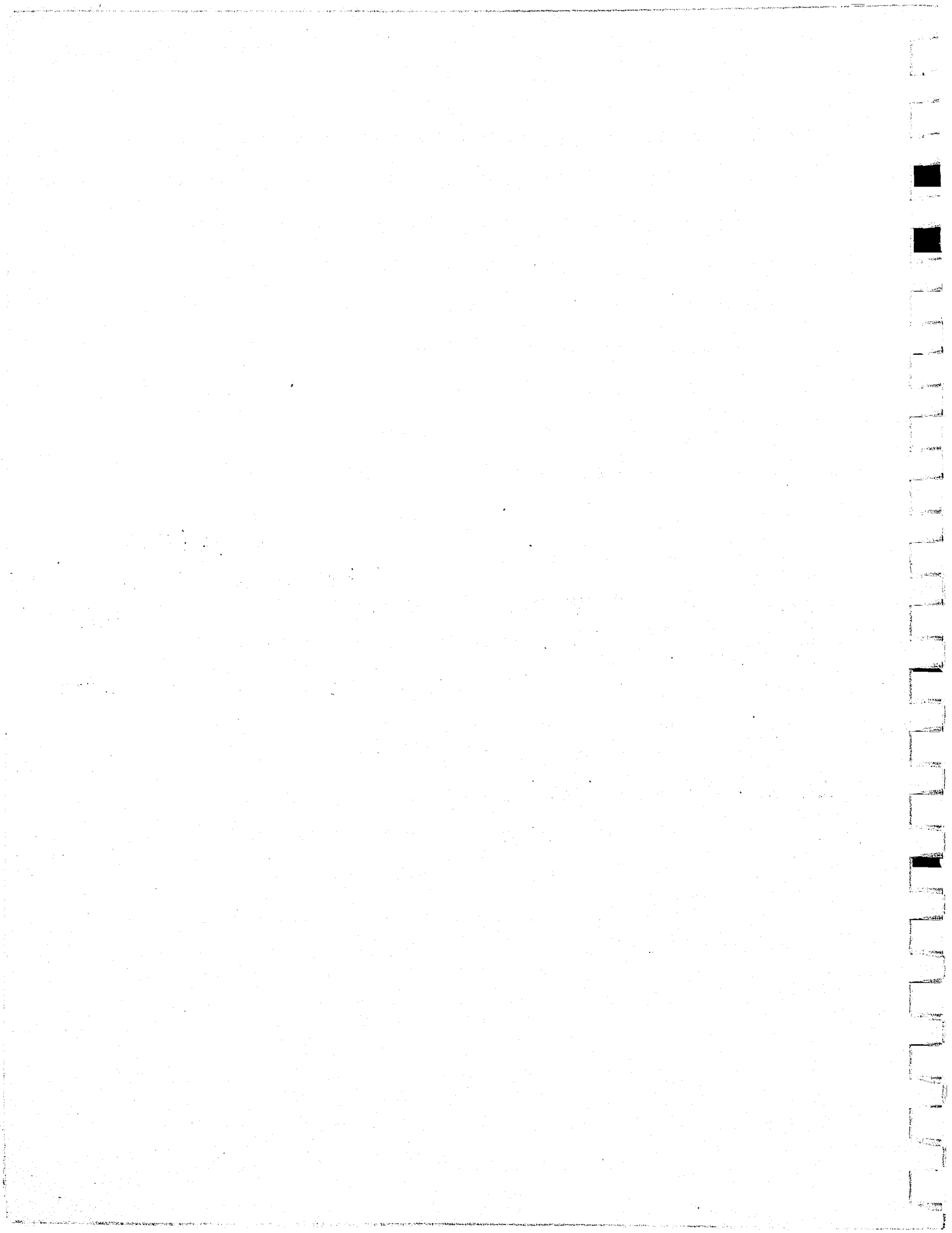
## 2.2.2 PRE-TRIAL AND POST-ADJUDICATION DELAY REDUCTION PROJECT, ACTIVITY 2 -- POST-ADJUDICATION DELAY

### Component 1: Pre-Sentence Investigations

The Pre-Sentence Investigations Component in the Cuyahoga County Probation Department intended to eliminate the delay between IMPACT conviction and delivery of a pre-sentence report and recommendations to the cognizant visiting judge. During the months of April through December, 1973, the visiting judges imposed misdemeanor sentences on convicted defendants in 220 cases.\* The Probation Department indicated

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\* A misdemeanor sentence is a sentence to a probation term, to the jail/workhouse for not more than one year, and/or to pay a fine, costs, or restitution.



that 136 cases had been referred for pre-sentence investigations during that same period. The Department based its grant application narrative and staffing on the assumption that six visiting judges would hear a total of 150 to 200 cases per month, with a conviction rate of approximately 50 percent. The five Probation Officers in the project were each to accomplish an average of 16 short-form pre-sentence investigations and interviews per month.\* The Probation Department revised these estimates during the summer of 1973, consistent with the actual case activity of the visiting judges. The revised referral rate was placed between 20 and 25 cases per month referred by the visiting judges. To compensate for this reduced workload, the Probation Officers were assigned active caseloads averaging 50 IMPACT probationers per Officer.

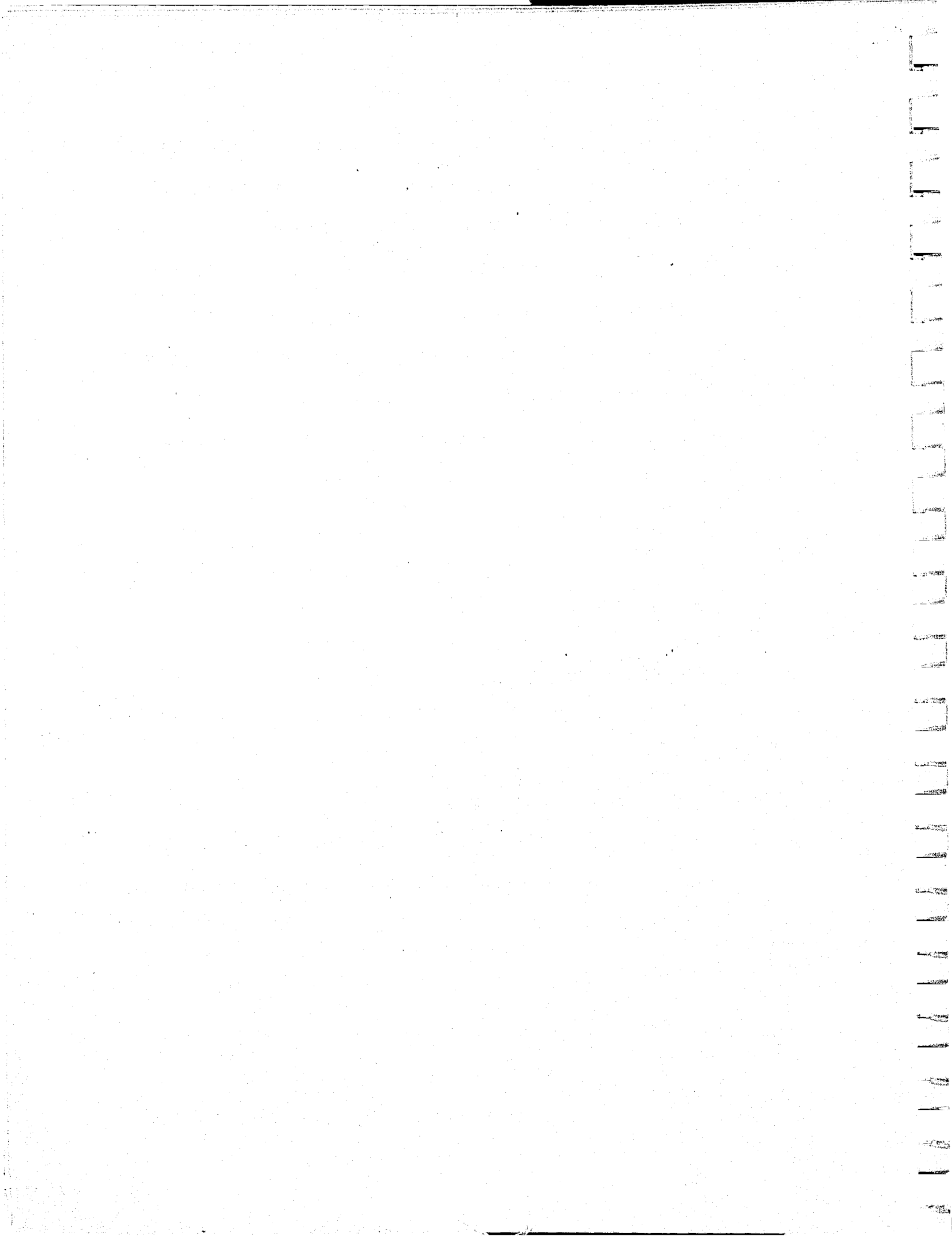
The IMPACT Pre-Sentence Investigations Component in the County Probation Department effected a reduction in the delay between conviction and sentencing during the project months of July through December, 1973.\*\* The delay during July averaged 5 days per pre-sentence investigation report (PSI), with occasional fluctuations to 10 days for PSI preparation. During August, 1973, the average delay increased to approximately 8 days per PSI as the project personnel acclimated their activities to the changing rate of visiting judge case referrals.

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\* The Probation Department completed approximately 2,700 Pre-Sentence Investigations during all of 1973.

\*\*During the period from April 23 through June 30, 1973, project personnel were interviewed, screened, hired, and trained, and equipment and facilities were arranged for project use.





The PSI turnaround delay decreased steadily from September, 1973, to a firm average of 7 days each by the end of December.\* Many case investigations/reports were completed in as few as two days; all PSIs but one were completed in 25 days or less. The single exception was the result of a combination of circumstances, including (1) two full weeks of psychological/psychiatric diagnosis and assessment and (2) extraordinary delays in transmitting defendant-case data from the County Prosecutor to the County Probation Department.

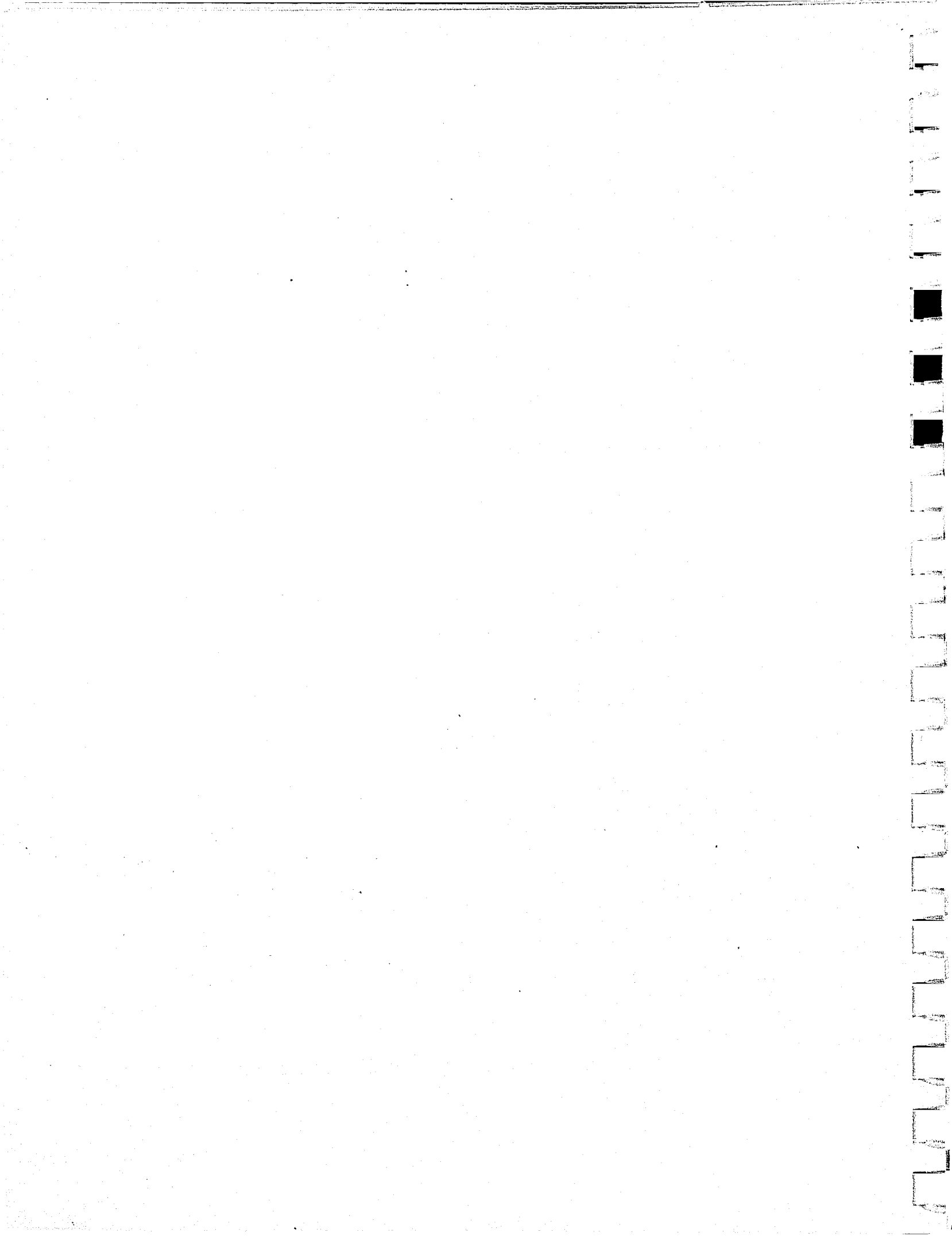
In addition to the issues discussed above, problems have recurred in the following areas:

- Defendants, family, and other relevant parties are not always available in time to expedite case investigations and interviews;
- Visiting judge, County Prosecutor, Defender Office, and Common Pleas Court personnel are not fully aware and do not take full advantage of the services available through the Probation Department; and
- Delivery of services by the Probation Department has been complicated by the logistics of IMPACT case trials which are heard at three different locations in the City.

The project personnel have identified a number of methods to alleviate these problems. Certain of these resolutions are being implemented gradually as the project continues to perform its tasks.

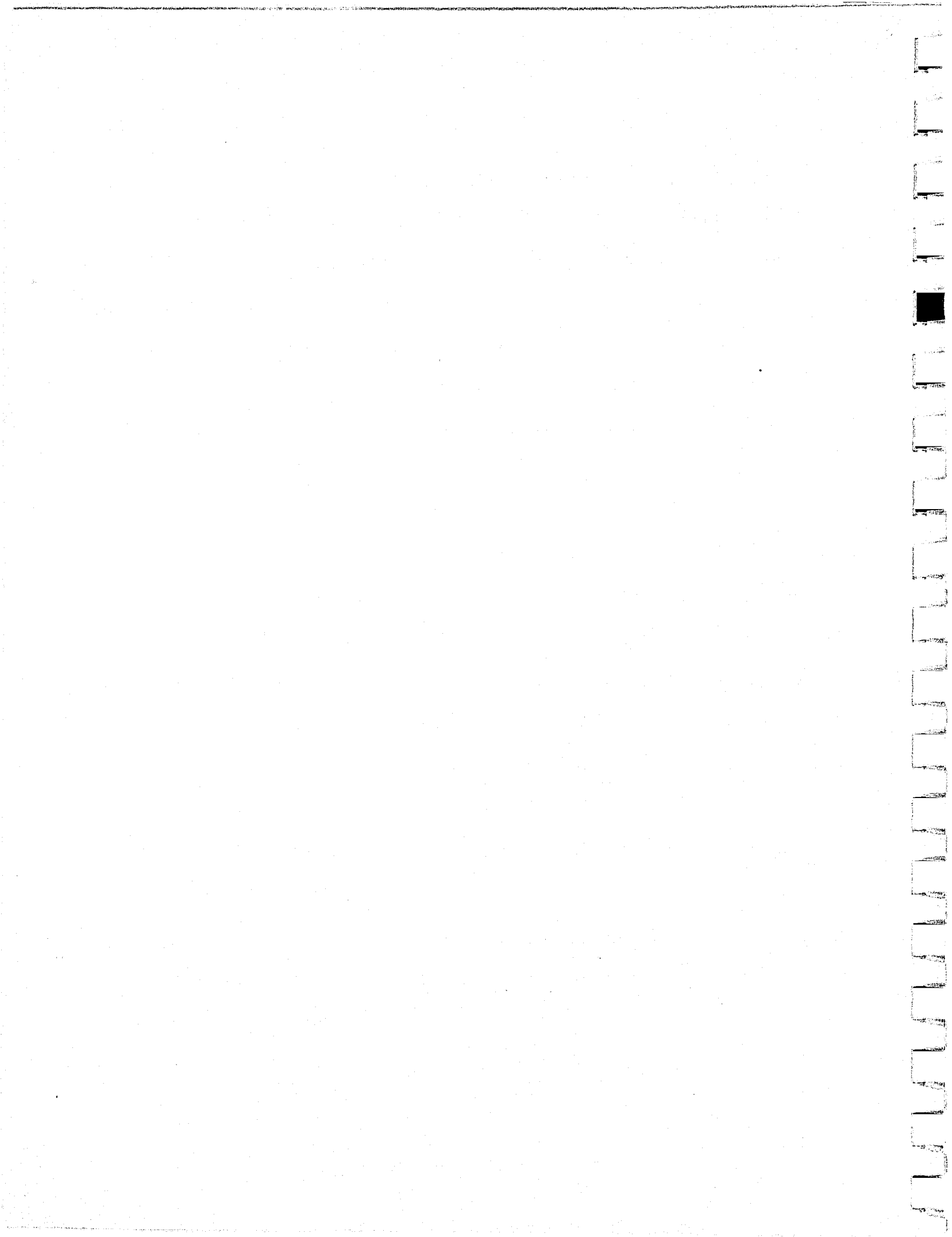
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\* During this period, PSIs for defendants held in jail took up to 21 days to completion. The PSI turnaround time for defendants on bail consumed as much as six weeks.



## Component 2: Diagnostic Treatment Profiles

The Diagnostic Treatment Profiles Component in the Psychiatric Clinic serving the Common Pleas and Cleveland Municipal Courts intended to assist the Probation Department in PSI preparation. The Clinic expected to develop treatment profiles and recommendations on 50 convicted IMPACT defendants per month. The Probation Department's PSI Unit referred approximately half of the Unit's visiting judge cases to the Clinic through August, 1973; through September, 1973, the Clinic had screened 43 defendants; during November, another 16 defendants were referred to the Clinic; and the Clinic had delivered services to a cumulative total of 100 defendants by the end of January, 1974. Alone, the small number of clients would be tolerable: Efforts could be made to increase the Probation Department's referrals, to increase the Clinic's intake volume, or to investigate alternative referral/intake approaches. Other aspects of the Clinic's performance under IMPACT funding have exacerbated these poor quantitative data. The Clinic has negatively influenced the Probation Department's efforts to eliminate PSI preparation delays; one case in particular consumed two weeks in diagnosis and evaluation. The reports prepared by the Clinic are not sufficient for Probation Department decision-making; the reports and recommendations are too brief and the contents must be more specific to be truly valuable to the Probation Department. The Department is required to make a composite recommendation to the judge on each defendant. Incomplete



data or spurious conclusions in any part of that recommendation may harm the client, may give criminal justice agencies a misplaced sense of accomplishment, may effect inappropriate treatment/rehabilitation, and thus may eventually injure the community itself.

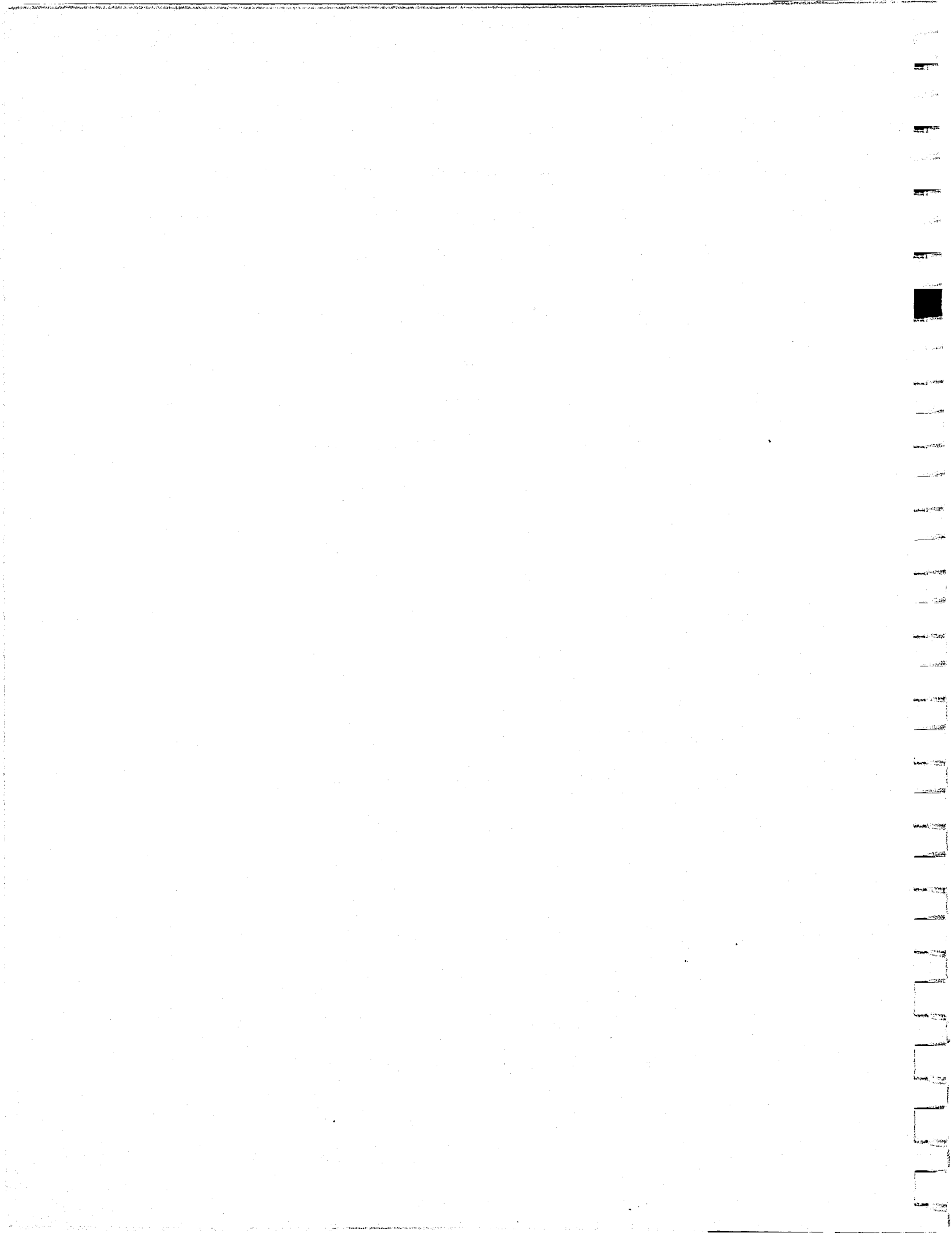
### 2.2.3 CLEVELAND OFFENDER REHABILITATION PROJECT

The Cleveland Offender Rehabilitation Project (CORP) was funded by the Manpower Administration of the U. S. Department of Labor from November, 1970, to August 31, 1973. \* IMPACT funding began March 1, 1973. During the pre-IMPACT period ending January 31, 1973, CORP had provided services to 595 clients, of whom 519 had been favorably terminated. \*\* From March 1, 1973, to December 31, 1973, the Project screened 629 potential clients at intake, and accepted 518 of these individuals into the program. Case dismissals were recommended by CORP and granted by the court for 274 cases during the last ten months of 1973, representing successful program completion in 53 percent of the cases accepted for service. Partial data for March through December, 1973, indicate arrest recidivism of one former client on a non-IMPACT charge; the conviction recidivism during this period consisted of seven former

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\* See footnote, supra, at paragraph 2.1.2.2, Data Requirements, Cleveland Offender Rehabilitation Project, page 2-10.

\*\* A "favorable" termination consists of successful completion of the CORP program and a subsequent recommendation to the court for case dismissal. An "unfavorable" termination would result in no recommendation to the court, without prejudice to the defendant's case.



clients, of whom four were convicted on IMPACT charges.\*

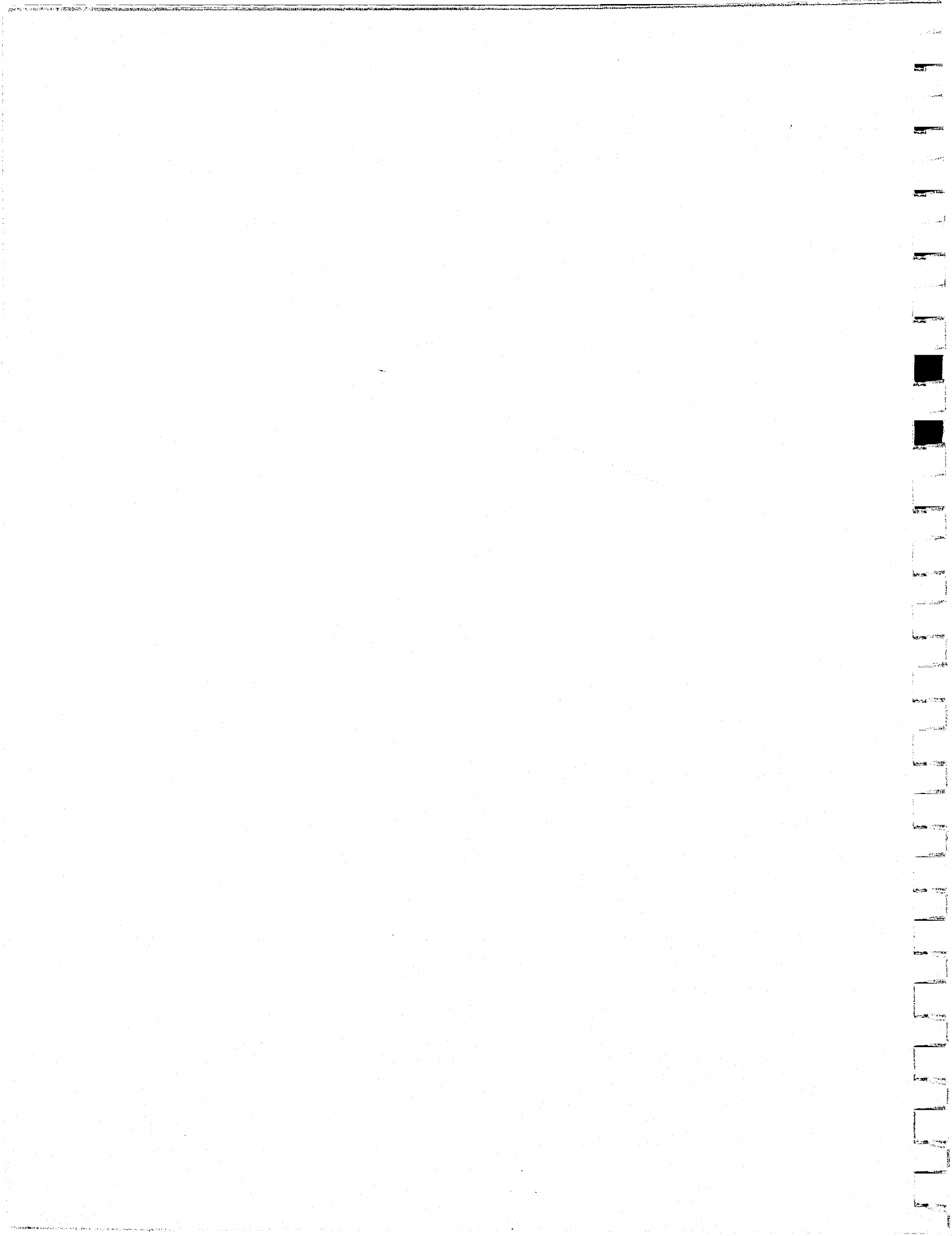
The CORP successes are indicated by the number of project clients whose charges were dismissed by the Court and by the extremely low recidivism rates. These successes may be attributed substantially to the quality and nature of CORP service delivery.\*\* Project personnel screen and interview a prospective client after referral from the court or after CORP staff have examined the daily arrest sheets and/or dockets. The Project's Court Representative(s) may request a case continuance in order to assess the prospective client's motivation and potential to succeed. The prospective client must agree in writing to the terms of the CORP services, including cooperative participation and permission to release agencies' records and files to the Project. When the client has agreed to the CORP approach, the Project requests a three or six-month continuance at the next court appearance. During the intervening period, the Project provides a battery of counseling, training, and referral services appropriate to the client. At the conclusion of the continuance period, if the client has participated favorably and conscientiously in the Project, CORP personnel may recommend to the Court that the pending charges

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\*These recidivism data were obtained by CORP staff who checked Cleveland Police Department records for arrest or conviction within one year of successful program termination.

\*\*It is possible that CORP screening personnel might recommend for intake only those individuals whose probability of success is high; the effect would be to improve the quantitative performance of the project. However, this screening approach is consistent with the Project's philosophy and qualitative goals: Defendants who will probably succeed should be given every opportunity for "rehabilitation;" those who will probably not succeed are best left with the courts for adjudication and correction.





be dismissed. CORP staff prepare a report which accompanies the recommendation. At the discretion and option of the Court, and, in Municipal Court, the concurrence of the Prosecutor, the case may be dismissed. If the dismissal recommendation is accepted by the Court, Project personnel will continue to follow the client's progress. The CORP staff will periodically meet with and counsel the client and will assess the effectiveness of the rehabilitative effort. The subject and frequency of these follow-up sessions are determined by the client's needs and motivation. The Project's successes to date can be attributed to four factors: (1) the structure and philosophy of the intake, counseling, and follow-up effort; (2) the capability and sensitivity of the personnel employed by the Project; (3) the ability of the staff to work with and understand available community resources, such as vocational training and job placement; and (4) the sensitivity of the staff to the "real-world" environment of criminal justice agencies in Cleveland.

The successes of the Project can be further demonstrated by operating statistics for the last ten months of 1973. As of December 31, 1973, out of 518 referrals accepted into CORP, 173 individuals were still enrolled in the program, with 47 cases pending and 466 cases in the post-program follow-up. These 466 cases include some clients from the Labor Department funding period. The following data indicate

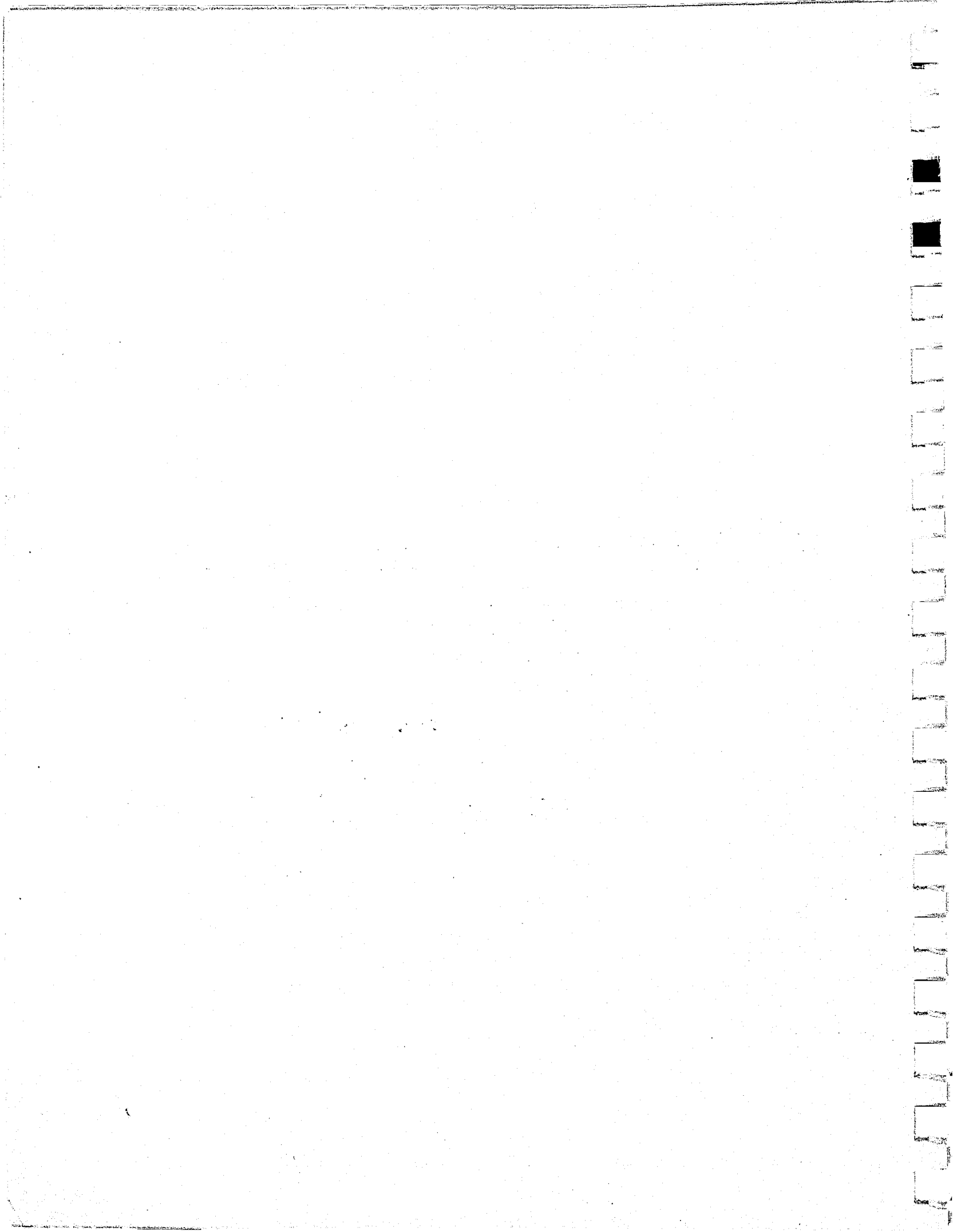


the nature of CORP services between March and December, 1973:

<u>Service Characteristic</u>	<u>Number of Clients</u>	<u>Per Cent of Case Completions</u>
(1) Placed in job	160	57%
(2) Retained job placement	150	53%
(3) Enrolled in school or training	64	23%
(4) Stayed in or completed school or training	60	21%
(5) Improved behavior, did not recidivate	<u>281</u>	<u>100%</u>
Successfully completed CORP program	281	100%

NOTE: Categories are not mutually exclusive

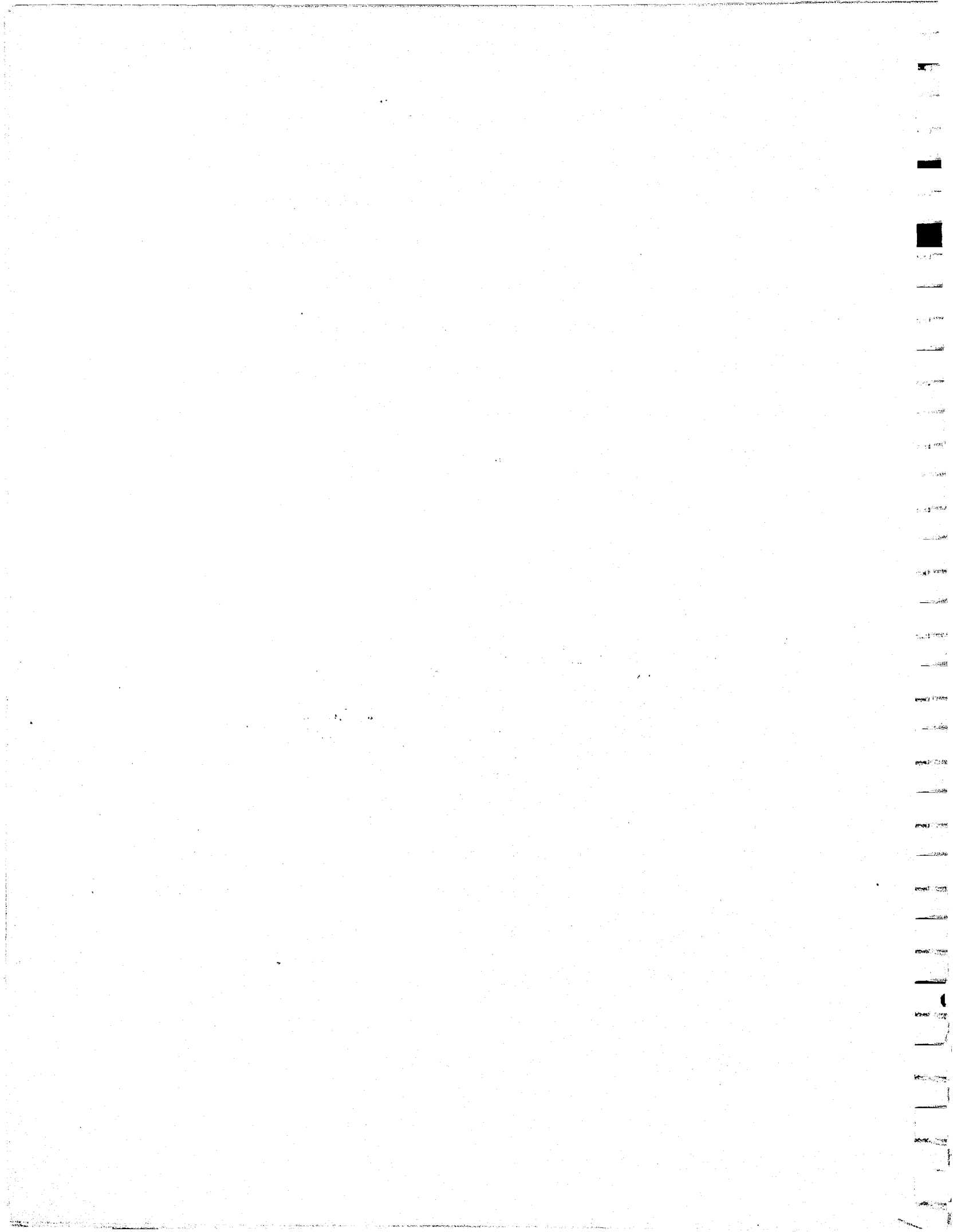
CORP provided these services and the initial intake screening with a staff totalling less than 25 persons. Project manpower, including administrative, support, and professional staff, varied from 20 to 23 persons monthly from March, 1973 to January, 1974. In March, the CORP activities occurred principally at three locations: (1) the CORP office at 2112 Payne Avenue, Southeast corner of East 21st Street; (2) the Cleveland Municipal Court Criminal Branch at 2001 Payne Avenue, northwest corner of East 21st Street; and (3) the Cuyahoga County Court of Common Pleas Juvenile Court Division at 2163 East 22nd Street, near Central Avenue. These locations are ideal for the initial intake of participants. During June and July, arrangements were completed for three field offices to facilitate follow-up contact



and counseling with clients, one on the West Side and two offices on the East Side. The project began field operations from a West Side location at 3500 Lorain Avenue during the month of August. In October, the second and third field offices were opened in the Kinsman Opportunity Center, Southeast Side, at 9202 Kinsman Avenue, and in the Glenville Opportunity Center, Northeast Side, at 1073 East 105th Street. Office space at all three locations is provided free of charge to the City and to IMPACT. The implementation of these field sites has eased the problem of cramped quarters for the increasing participant population.

### 2.3 PERFORMANCE OBJECTIVES

This section presents a brief discussion of each project's stated objectives and the degree to which each was met during 1973. These objectives and their accompanying methods were presented in Table 1-1. The following statements of results for each component are derived from analyses of the data available for all Components. It is important to note that of the 20 objectives specified by the Components in the two discretionary grant applications, only six of the objectives were precisely quantified. Those objectives which were quantified are discussed below in terms of a ratio (percentage) that relates the achieved results to the specified numeric objective. For the unquantified objectives, the discussion (1) indicates whether the component met the objective as stated and (2) presents performance



statistics, such as number of clients served, which are appropriate to supplement the assessment of each component's performance.

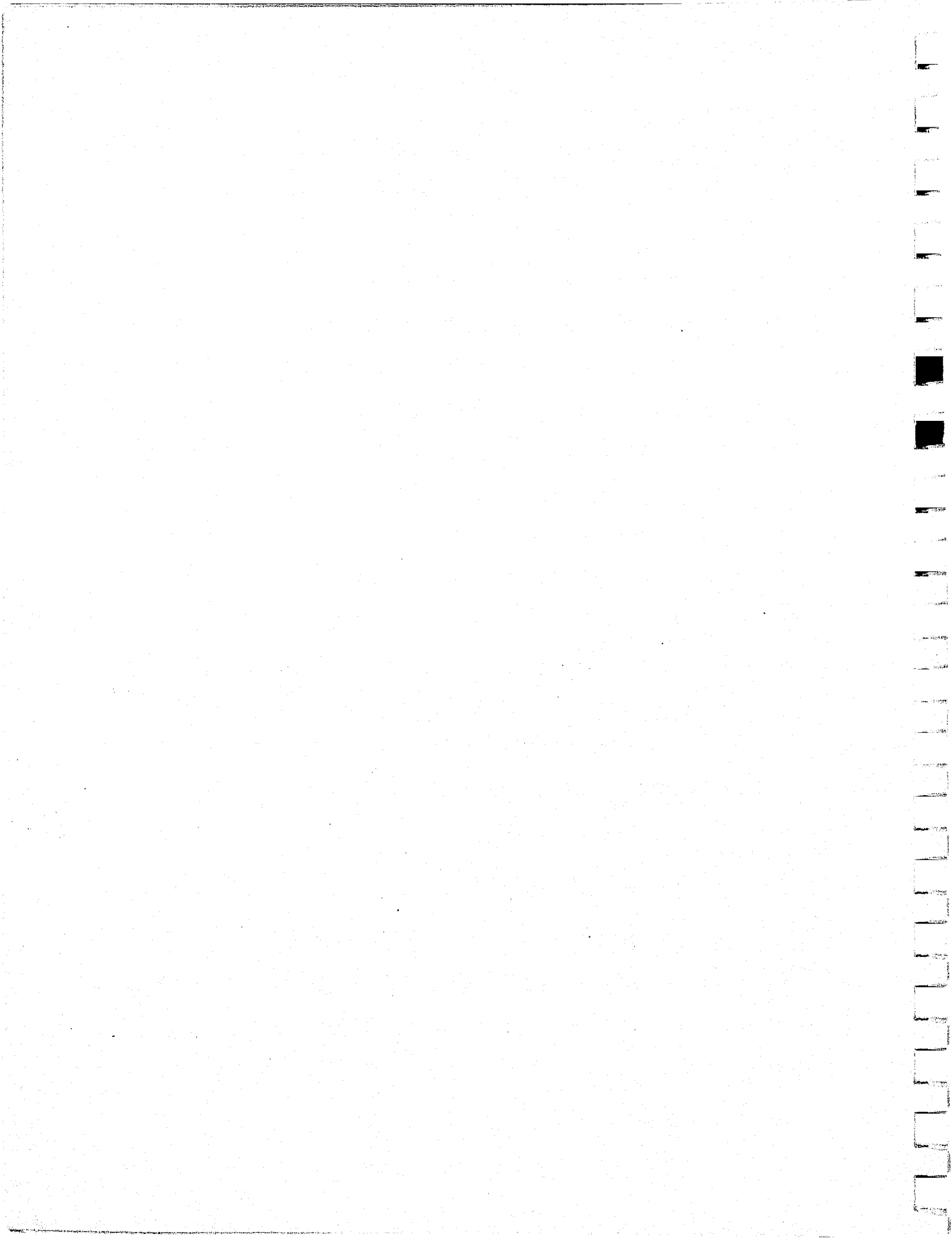
### 2.3.1 VISITING JUDGES

(a) Reduce the time between arrest and disposition. This objective has been met. The average elapsed calendar days from arraignment or indictment to case disposition decreased 15.2 percent in 1973 from 1972. These data represent 3,526 Common Pleas cases in 1972 and 4,643 cases in 1973, and include convictions, dismissals, acquittals, and "nolles." The average delay dropped from 138 days per case to 117 days per case for all felonies. Data on delays are available for 200 visiting judge cases, all of which were convictions. These cases took an average of 46 calendar days from case assignment to sentencing. The entire Court's delays on convictions dropped from 127 calendar days in 1972 to 94 calendar days in 1973; it is reasonable to conclude, without more complete data, that the visiting judges' figure of 46 calendar days contributed to this reduction. These conclusions assume that the time from arrest to arraignment did not change appreciably.

(b) Reduce delay in the adjudication of IMPACT defendants.

This objective has been met. The average delay for IMPACT-charge cases in Common Pleas Court was reduced 11.6 percent from 146 calendar days in 1972 to 129 calendar days in 1973. The average delay for 98





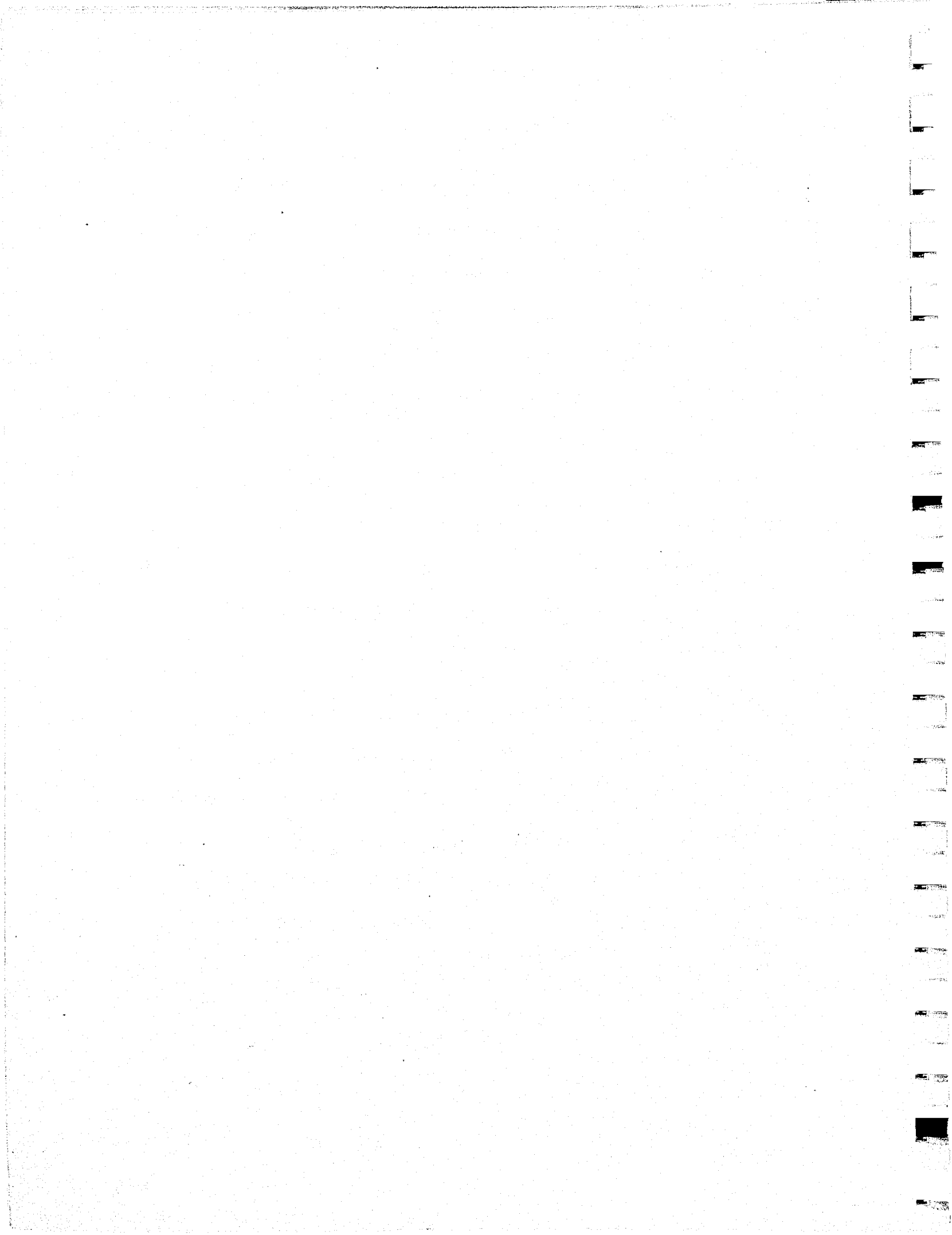
IMPACT convictions tried by the visiting judges was 47 calendar days.

(c) Reduce Common Pleas Court criminal case backlog. This objective has been met. The Court's backlog of pending cases was 1,566 in April, 1973, when the visiting judges began and 991 cases pending on January 1, 1974. Of these cases, 216 had been awaiting trial more than six months in April, 1973; this figure was reduced to 40 cases in January, 1974. Significantly, the "six-month backlog" represented nearly 14 percent of the cases pending in April, 1973, and only four percent of those pending in January. Thus, the number of pending cases was reduced 37 percent and the six-month backlog was reduced 82 percent during the last 35 weeks of 1973. During the entire year, the Court reduced the trial delay 15 percent and disposed of a record number of cases.

(d) Dispose of 150 to 200 cases per month. The visiting judges disposed of 617 cases in 35 weeks, an average of 17.6 cases per week and 3.9 cases per visiting judge per week. The objective translates to an expectation of at least 35 cases per week; the six visiting judges would have been responsible for disposing of 5.8 cases per judge per week. Thus, on a per-judge basis, accounting for an average judge complement of 4.5 judges per week, the Component met 67 percent of its dispositional objective.

### 2.3.2 COUNTY PROSECUTORS

(a) Reduce the time between arrest and disposition. This objective



has been met. The average elapsed calendar days from arraignment or indictment to case disposition decreased 15.2 percent in 1973 from 1972.

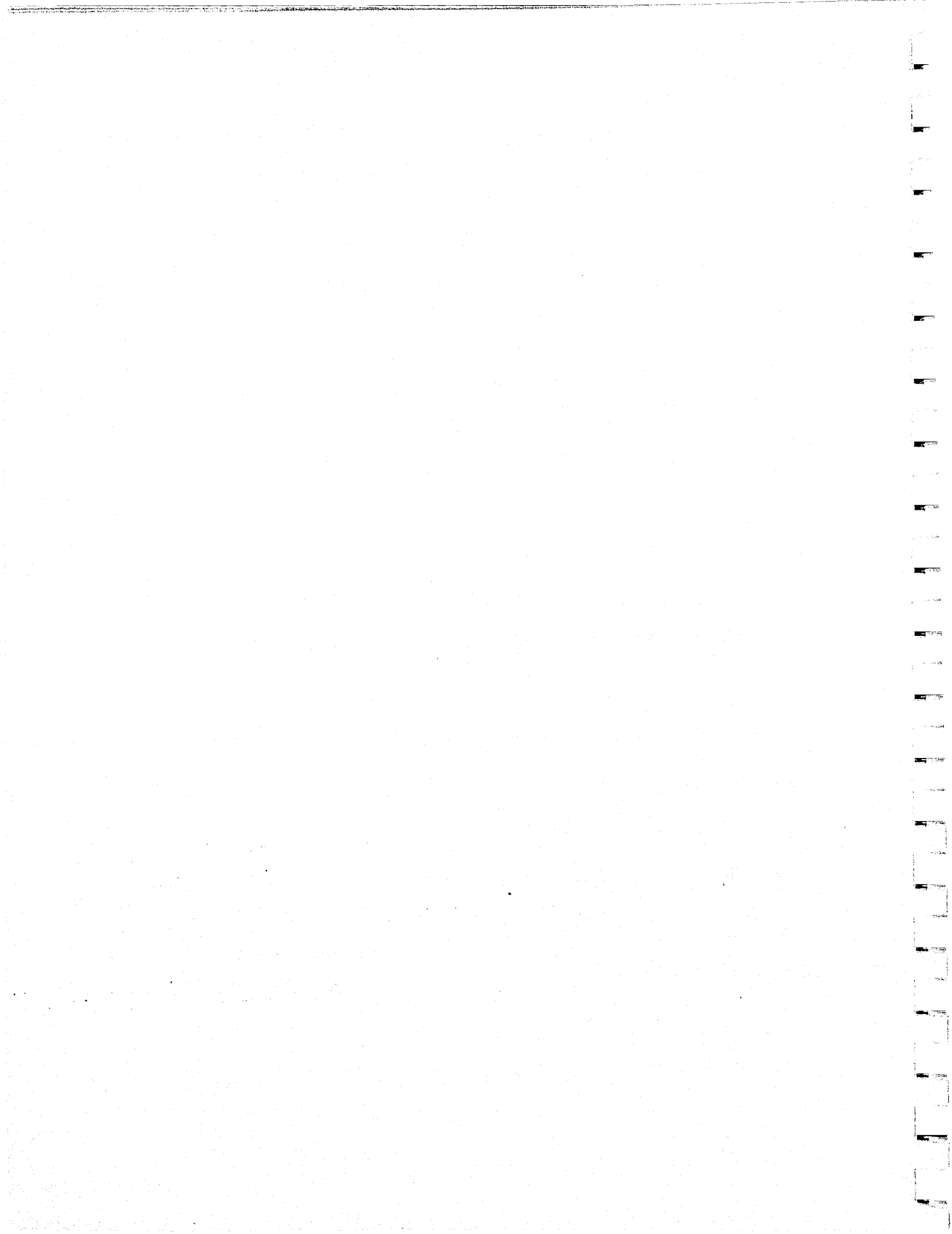
(b) Reduce delay in prosecution of IMPACT cases before visiting judges. No data are available regarding baseline and actual time delays in case prosecution.

(c) Assist the visiting judges in disposition of 150 to 200 cases per month. The prosecutors and visiting judges effected the disposition of 67 percent of the Component objective.

### 2.3.3 COUNSEL FOR THE INDIGENT

(a) Reduce the time between arrest and disposition. This objective has been met. The average elapsed calendar days from arraignment or indictment to case disposition decreased 15.2 percent in 1973 from 1972.

(b) Provide representation for 1,302 indigent IMPACT defendants. During the 35-week period ending December 31, 1973, the Component objective would have been the representation of 877 indigent IMPACT defendants. The Component has encountered a number of problems in communication between most Common Pleas Court judges and scheduling procedures and the component's defense counsel. Nevertheless, the Component represented 783 defendants, consisting of 526 in Municipal Court only and 257 in both Municipal and Common Pleas Courts. Of these defendants, approximately 82 percent were charged with IMPACT



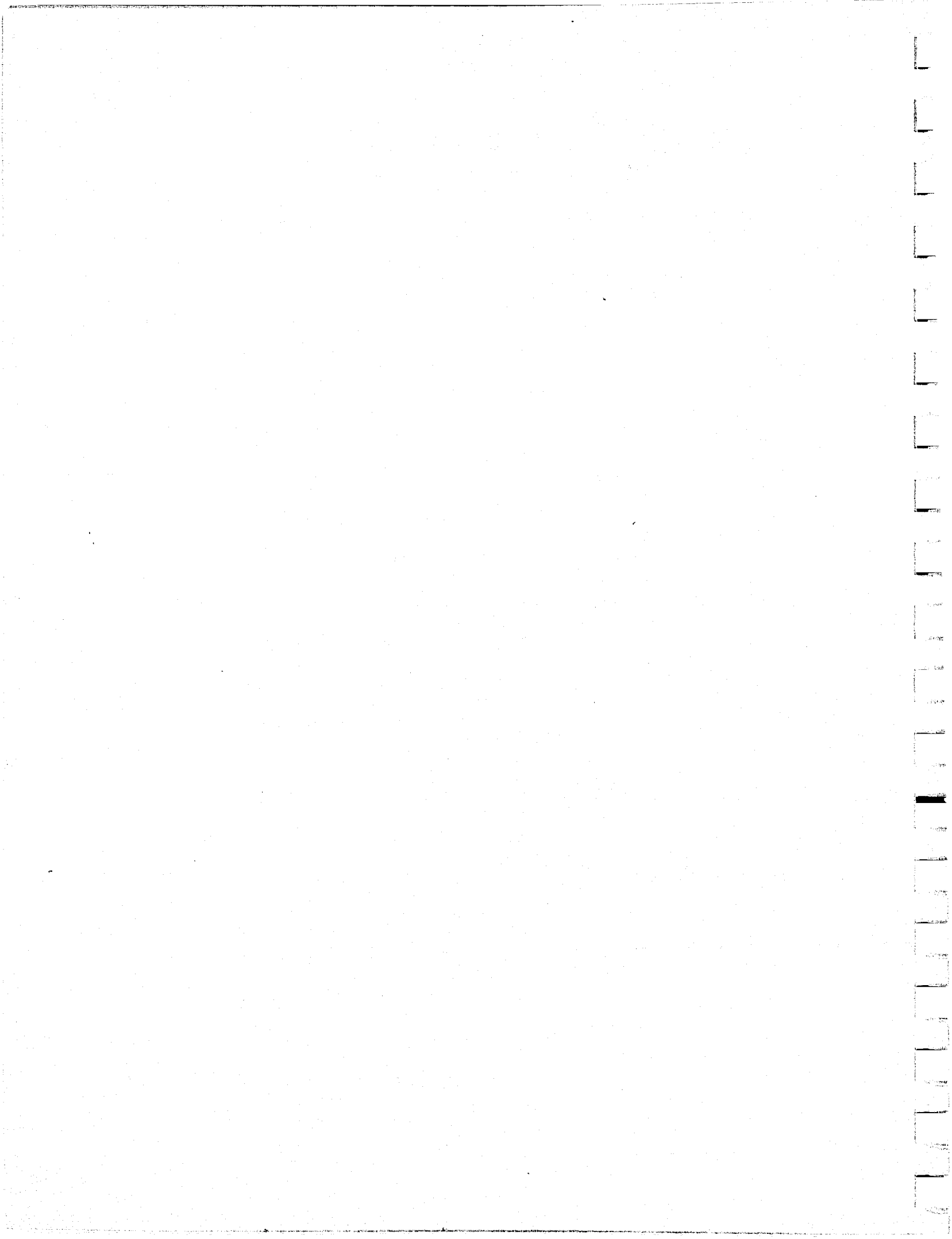
crimes. Using this approximation, 642 IMPACT defendants were represented by the Legal Aid Society's Defender Office. Thus, the Defender Office has achieved 73 percent of its stated objective.

#### 2.3.4 PRE-SENTENCE INVESTIGATIONS

(a) Reduce the time between conviction and sentencing. This objective has been met. During the project period from April 23 to December 31, the average delay for completion of pre-sentence investigations fluctuated between five and seven days per investigation. The delay varied with the Probation Officers' caseloads, i. e., the number of referrals from the visiting judges. The number of referrals increased steadily from May to September, and stabilized for the duration of the year; the report delays increased from an average of five days each to an average of eight days each in September, and steadily decreased to an average of seven days in December.

(b) Place convicted offenders into proper corrective programs.

Detailed data on this objective are not readily available. A spot check during the month of July showed that no individuals who had been served by the project component had been rearrested. If the corrective programs are "proper," and rehabilitation is effective, then the arrest recidivism rate should be low.



(c) Eliminate delay in preparing Pre-Sentence Investigations on convicted Visiting Judge case defendants. The delay in completing pre-sentence investigations was reduced to an average of seven days by the end of 1973.

### 2.3.5 DIAGNOSTIC TREATMENT PROFILES

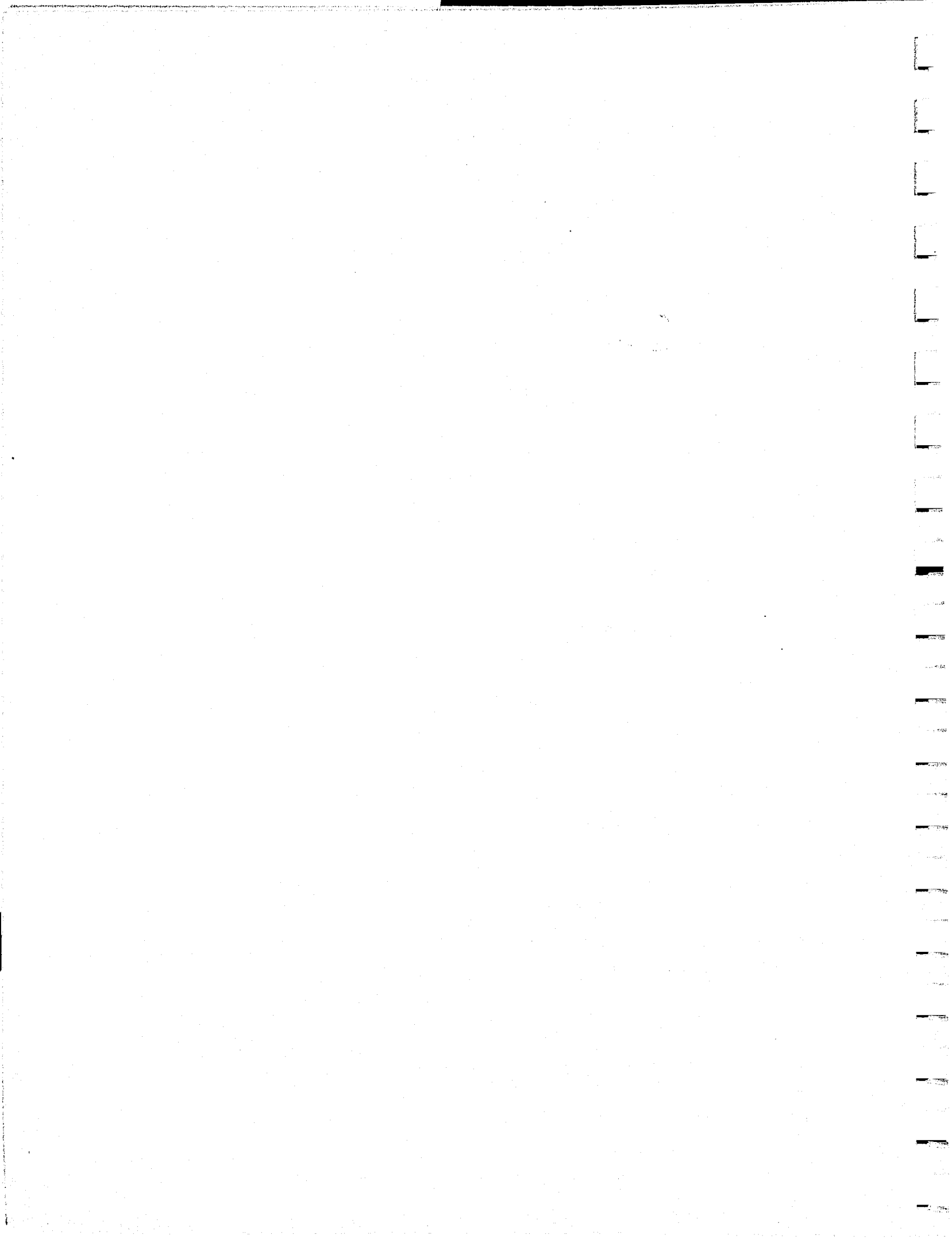
(a) Reduce the time between conviction and sentencing. This objective has been met. The delay in completing pre-sentence investigations was reduced to an average of seven days by the end of 1973. The pre-sentence report lag is a significant part of the delay from conviction to sentencing.

(b) Place convicted offenders into proper corrective programs. Detailed data on this objective are not readily available. A spot check during the month of July showed that no individuals whose cases had been reviewed by the County Probation Department had been rearrested. If the corrective programs are "proper," and rehabilitation is effective, then the arrest recidivism rate should be low.

(c) Recommend placement of offenders into correctional and/or treatment programs. This objective has been met insofar as placement recommendations were developed for 100 convicted defendants through January 31, 1974.

(d) Assist the Probation Officers in preparing Pre-Sentence





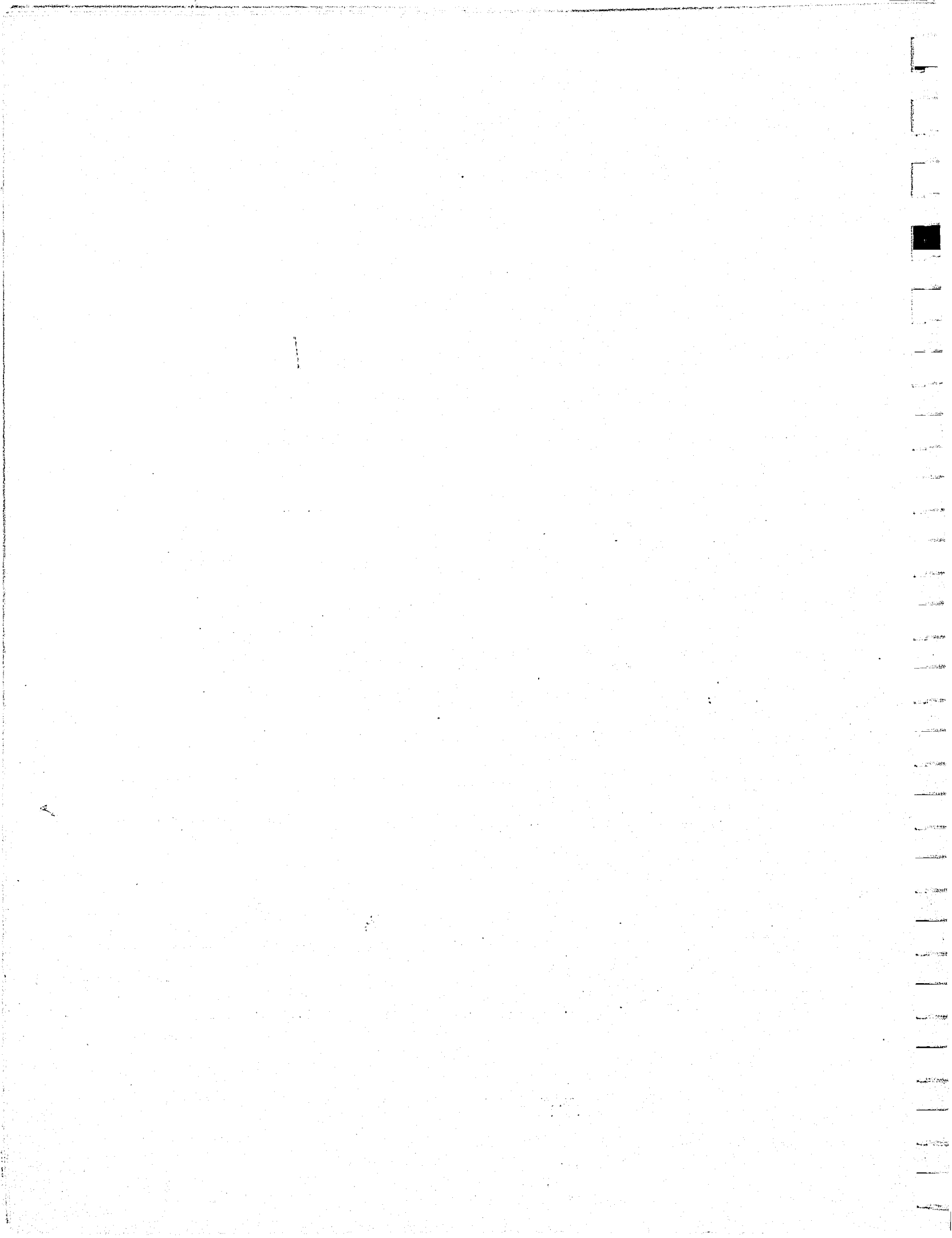
Investigations on convicted visiting judge case defendants. This objective has been met for 100 convicted defendants through January 31, 1974.

(e) Prepare professional assessments of needs/treatment modalities on 50 defendants per month. During the 40-week period from April 23, 1973 to February 1, 1974, the Component objective would be service delivery to 462 clients. The Component actually delivered services to 100 clients, to meet 22 percent of the objective.

#### 2.3.6 CLEVELAND OFFENDER REHABILITATION PROJECT (CORP)

(a) Reduce recidivism of CORP clients by diverting youthful offenders from Juvenile and Municipal Court adjudication processes. This objective has been met. During the CORP-IMPACT funding period from March 1 to December 31, 1973, CORP screened 631 potential clients. The Project diverted 518 of these individuals from the Courts and enrolled them in the CORP program. Partial data for these clients indicate arrest recidivism of one former client and conviction recidivism of seven former clients. During the CORP-Labor Department funding period for 595 clients through March, 1973, project data indicate arrest recidivism of 54 former clients, of whom 25 were convicted.

(b) Obtain dismissal of criminal charges for successful CORP clients. This objective has been met. During the CORP-IMPACT

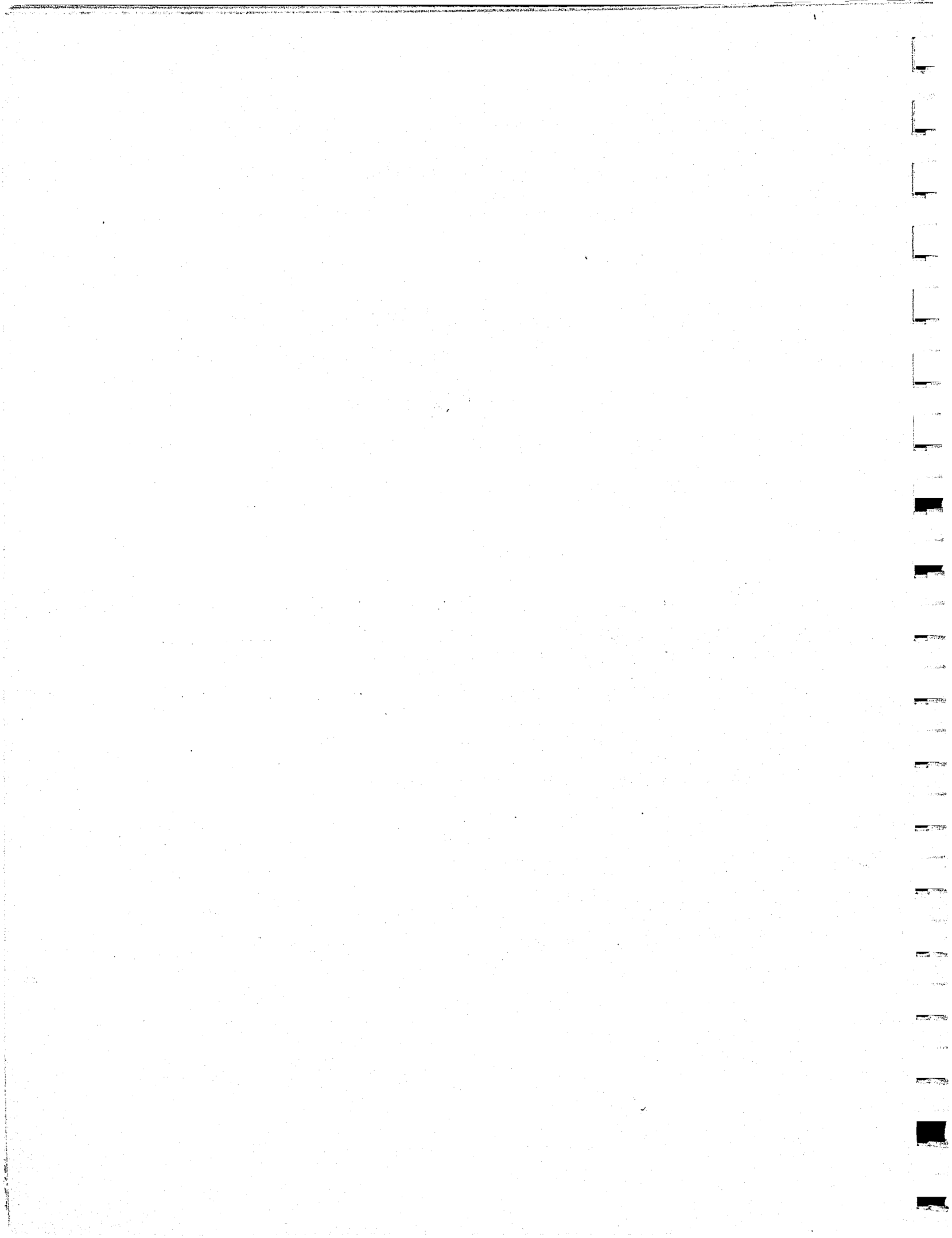


project period, of the 518 individuals enrolled in the program, 281 successfully completed the CORP service plan. The Project recommended to the Court and the Court granted dismissals of 274 of these cases.

(c) Deliver CORP services to 500 members of the target population. This objective has been met. During the 43-week period from March 1 to December 31, 1973, the project objective would have been service delivery to 413 clients. The project actually delivered services to 518 individuals enrolled in the program, meeting 126 percent of the objective.

#### 2.4 PERFORMANCE SUMMARY

The management and operations of the Adjudication Program are in general functioning effectively. Most are achieving their objectives satisfactorily. Problems, conclusions, and recommendations for each component are presented below in Section III.



## SECTION III

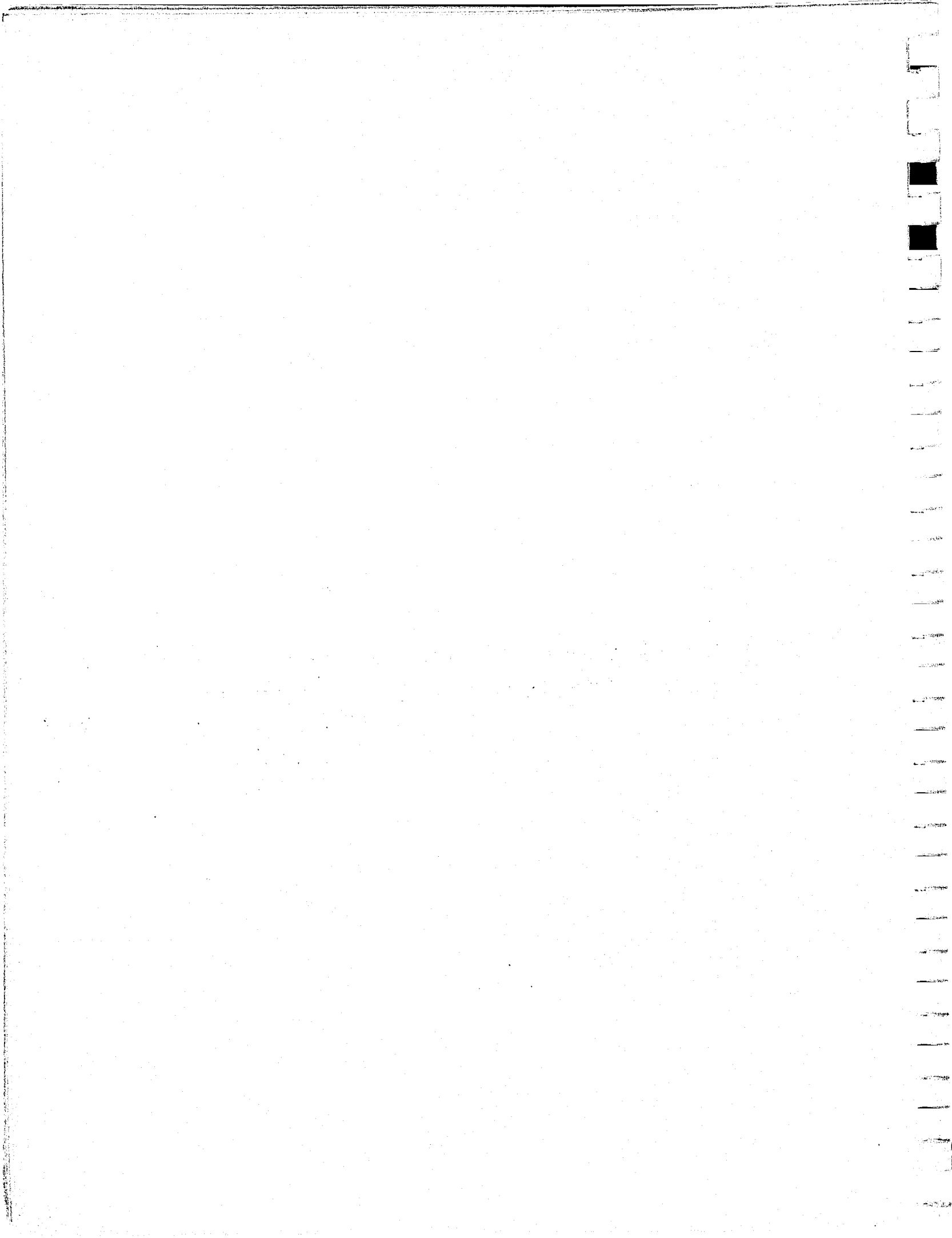
### CONCLUSIONS AND RECOMMENDATIONS

#### 3.1 GENERAL

The performance results of each of the projects of the Adjudication Operating Program have been documented in the previous section. In general, the Pre-Trial and Post-Adjudication Delay Reduction Project was a success. Each of the components either achieved its principal objectives or reported significant accomplishments. The Cleveland Offender Rehabilitation Project was particularly successful insofar as it achieved all of its principal objectives and made a substantial reduction in the expected recidivism of its clients. Moreover, the project implemented a demonstrated capability to work effectively with juvenile and young adult offenders in need of jobs. Specifically, the CORP staff placed 160 clients in new jobs and enabled a substantial number of others to retain existing jobs. This aspect of CORP's performance was so encouraging that the project has been asked by the Cleveland IMPACT Cities Program to assist IMPACT's Employment Operating Program in the expansion of its own operations. Specific conclusions and recommendations are set forth in the paragraphs which follow.

#### 3.2 PRE-TRIAL DELAY REDUCTION

The Delay Reduction Project made substantial inroads into the

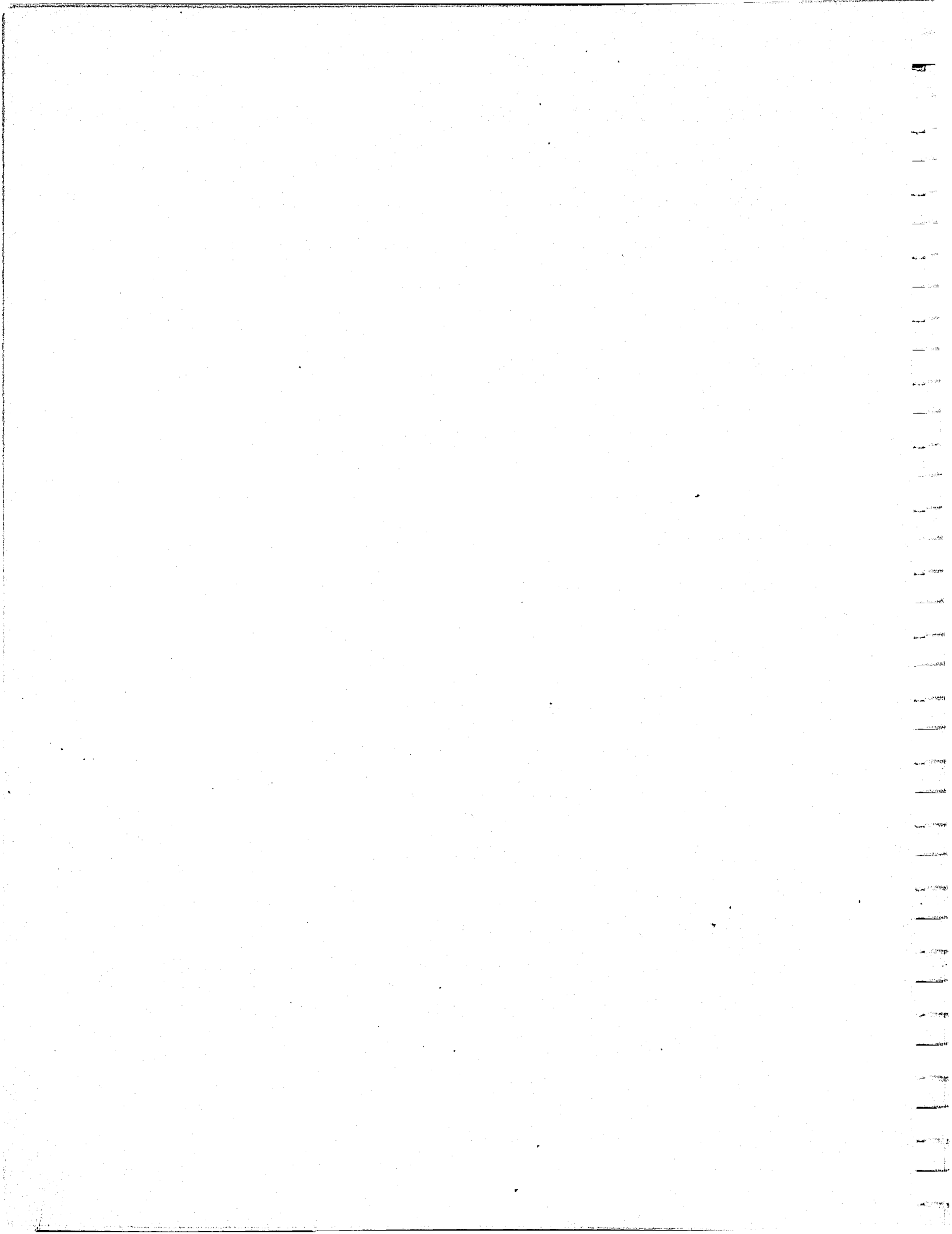


felony criminal case backlog and reduced the delay times between arraignment and disposition not only of IMPACT cases in the Court of Common Pleas, but also of all felony cases. During the last eight months of 1973, the IMPACT visiting judges adjudicated 617 cases, representing 67 percent of the component objective. The prosecutorial and defense components made valuable contributions to the project insofar as the professional and support staff were available for the various phases of the criminal proceedings and cooperated with the judicial calendar maintained by the Central Scheduling Office. The caseload statistics and other performance data associated with these two components are commensurable with the performance data of the visiting judges component.\* From the standpoint of the overall effort, a significant portion of the credit should be given to the staff of the Central Scheduling Office and in particular the Project Coordinator. He assumed personal responsibility for establishing the Court's calendar, worked closely with the judges, and insured that the parties were ready for the various judicial proceedings which the Office scheduled.

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\*These statistics will not be exactly equal for two reasons. First, the Prosecutor's Office assigns Assistant County Prosecutors to cases depending on the availability of all Assistants and on the capability of the IMPACT Assistants to present the People's case. The IMPACT-funded Assistants were assigned to the Prosecutor's trial pool. From the pool, the "first call" on IMPACT cases is given to the IMPACT Assistants; assigning these priorities is subject to the need to present all cases and to assign personnel most experienced in each type of case. Second, it is possible that a case may be heard by different judges (original or IMPACT) at different stages of the case. If the defendant fails to appear (BFC), the case may be reassigned according to judges' availability at the time the capias is returned. In the same manner, different Assistants may present the case at different stages in the trial process.

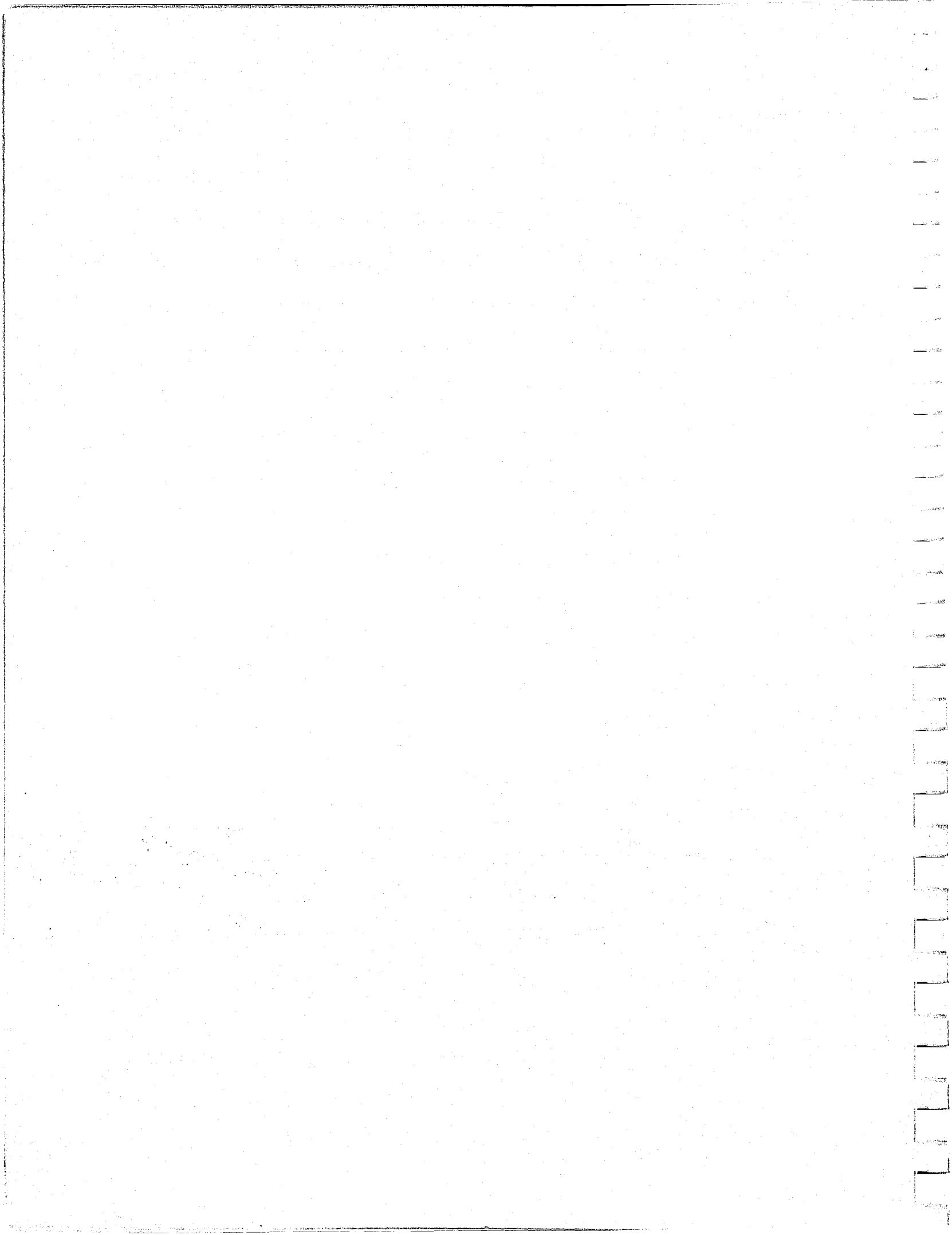




In view of the performance of these project implementing agencies, the IMPACT Planning and Evaluation Staff recommends that this project continue throughout the final phases of IMPACT funding at a level of effort supportable within the overall fiscal constraints and established commitments of the Cleveland IMPACT Cities Program. However, it should be noted that the level of support for the judicial component of the project should receive first priority and then the other components of the project. Clearly, the visiting judges' performance indicates the most impressive gains during the first year. While the prosecutorial and defense components need and deserve additional funding to insure an effective judicial system for the adjudication of IMPACT defendants, these criminal justice agencies should begin to seek other sources of local support once the IMPACT Program terminates. The time to begin developing alternative fiscal sources should be the final project year of the Program.

### 3.3 POST-ADJUDICATION DELAY REDUCTION

The Pre-Sentence Investigations and Diagnostic Treatment Profiles Components did not fully meet their respective objectives. The County Probation Department did gain valuable experience in development and completion of a revised "short form" pre-sentence investigation report, and also succeeded in reducing the turnaround time for these reports to an average of seven days each. The Department encountered logistical



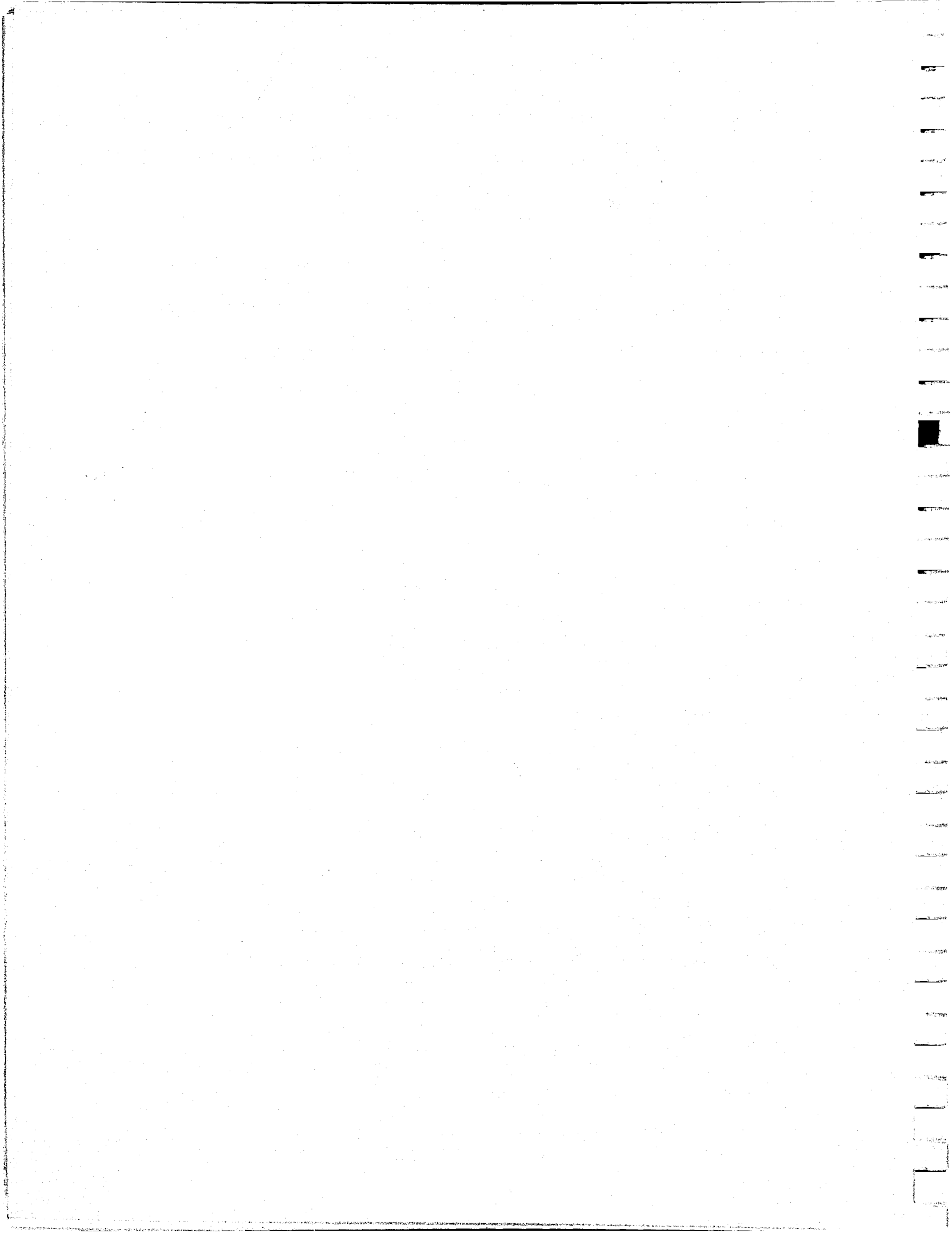
difficulties in conducting investigations, interviewing appropriate individuals, and assisting the Court because of the three locations in which the visiting judges tried cases.\*

The Psychiatric Clinic, serving the Common Pleas and Cleveland Municipal Courts, has tended to be too general and too brief in preparation of 100 defendant diagnostic reports and recommendations to the Probation Department. Correctional/Rehabilitative recommendations have either not been forthcoming or have been so broad as to provide probation personnel with little guidance in the ultimate recommendation to the judge. Notwithstanding these problem areas, it is doubtful whether the Component's objectives could have fully met unless the IMPACT-funded staff had been closer to full strength. At the end of January, 1974, only one test administrator/interviewer and one stenographer had been hired.

In view of the performance of the implementing agencies, the IMPACT Planning and Evaluation Staff recommends that these Components continue to the end of the current grant funding period, consistent with the funding constraints and commitments of the Cleveland IMPACT Cities Program. While these Components perform valuable and needed services, their efforts to date and their projected short-term programmatic modifications

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\* These three locations are the County Courthouse, the Mott Building, and the Criminal Courts Building, described above in Section 1.3.1.

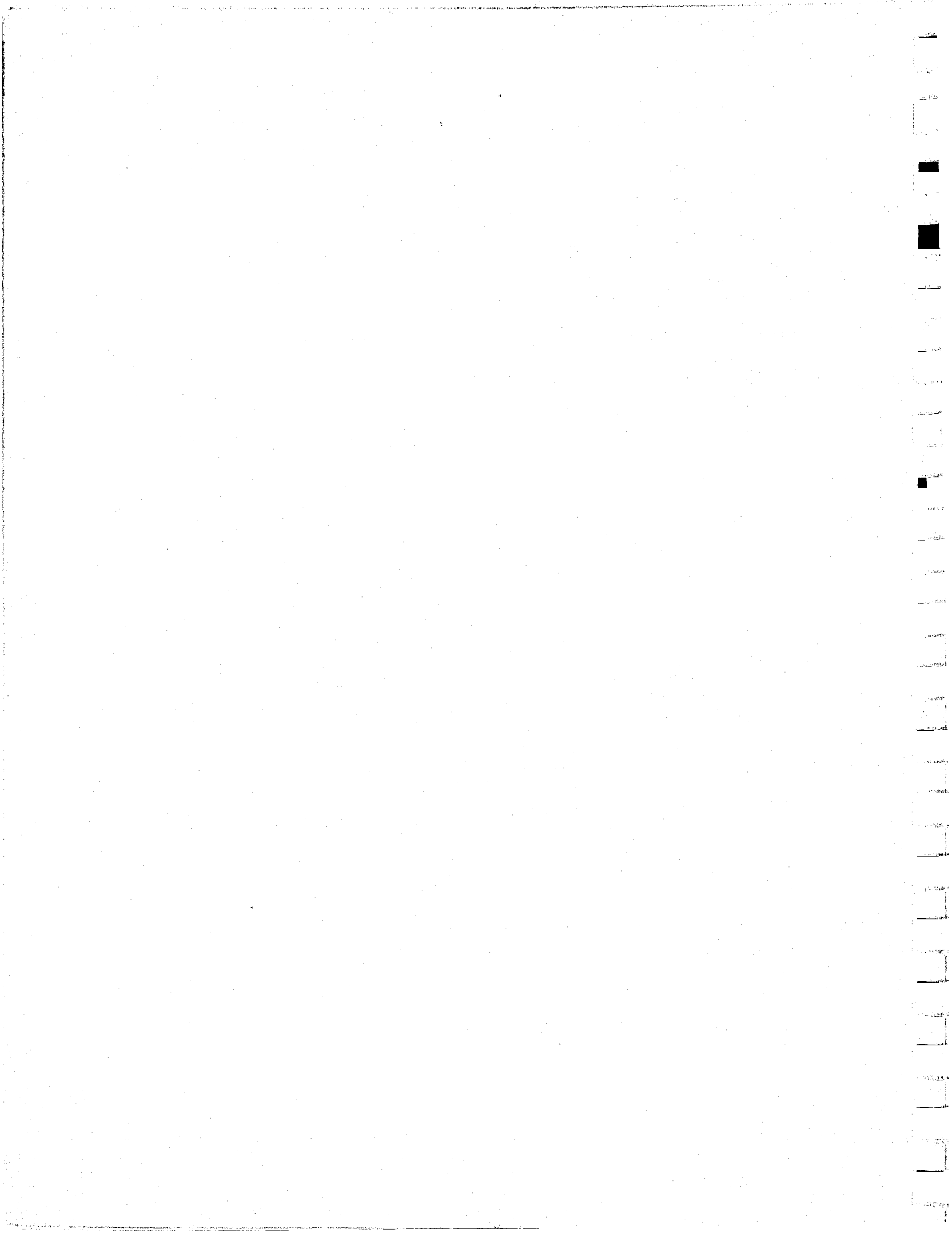


are not expected to achieve substantial reductions in post-conviction delays. These efforts should be supported from local sources.

#### 3.4 CLEVELAND OFFENDER REHABILITATION PROJECT

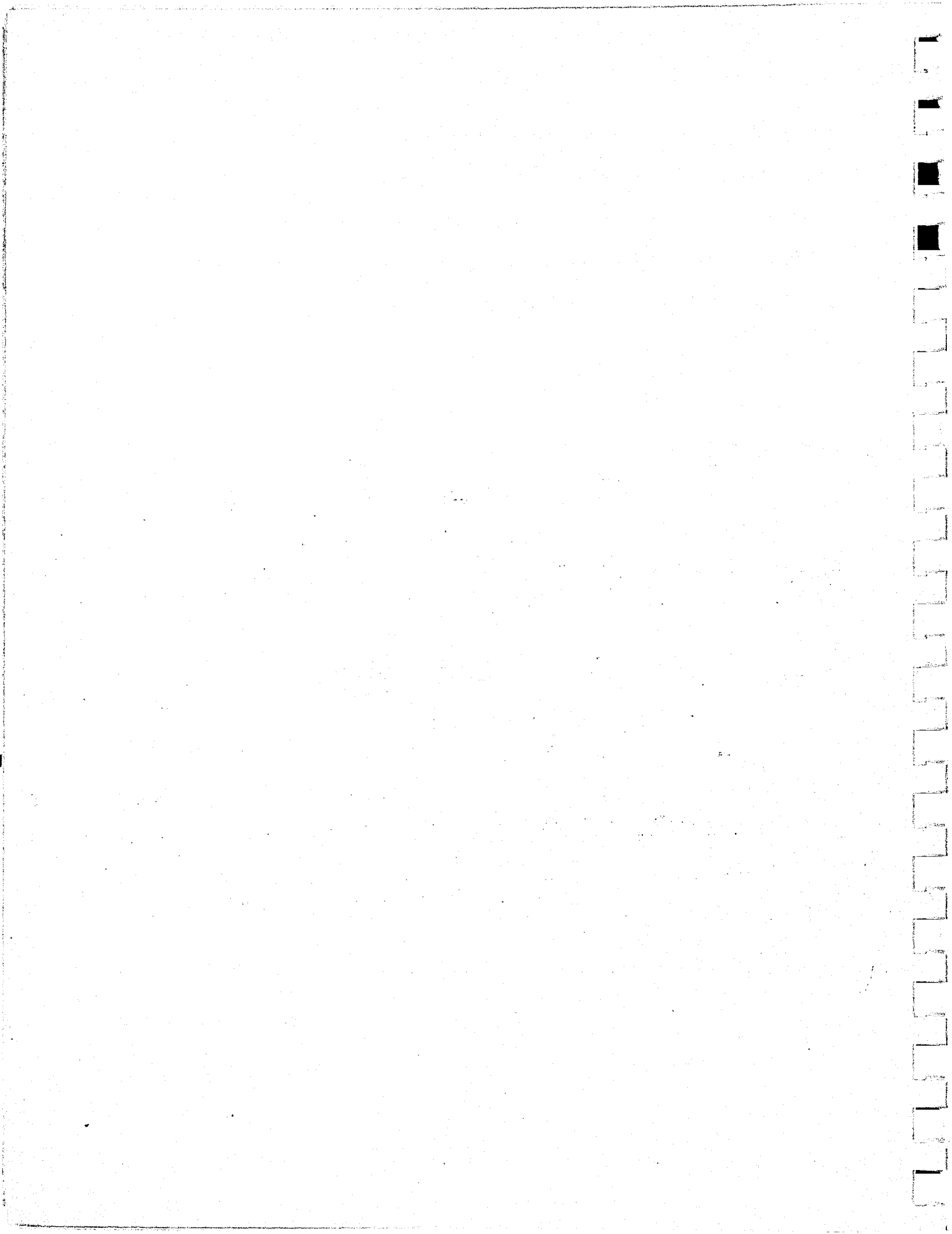
The Cleveland Offender Rehabilitation Project (CORP) has been successful for over four years in "prevention of crime upgrading" by young offenders. The Project has effected job placement for approximately half of its client population, individuals who were unemployed at Project intake. Recidivism measured by either rearrest or by conviction has consistently been below 10 percent of the "favorable program terminations." Court charges are dismissed and the CORP clientele, with an average age of 18.5 years, appear to be successfully diverted from further criminal activity. More significantly, the presence of and contact with individuals who understand the operations of criminal justice agencies and of the vocational/educational "marketplace" has had a positive effect on CORP clients. This impression is substantiated by the low recidivism and high job retention rates.

Based upon the performance of CORP during the IMPACT funding period, the IMPACT Planning and Evaluation Staff recommends that this project continue throughout the final phases of IMPACT funding at a level of effort supportable within the overall fiscal constraints and commitments of the Cleveland IMPACT Cities Program. CORP's

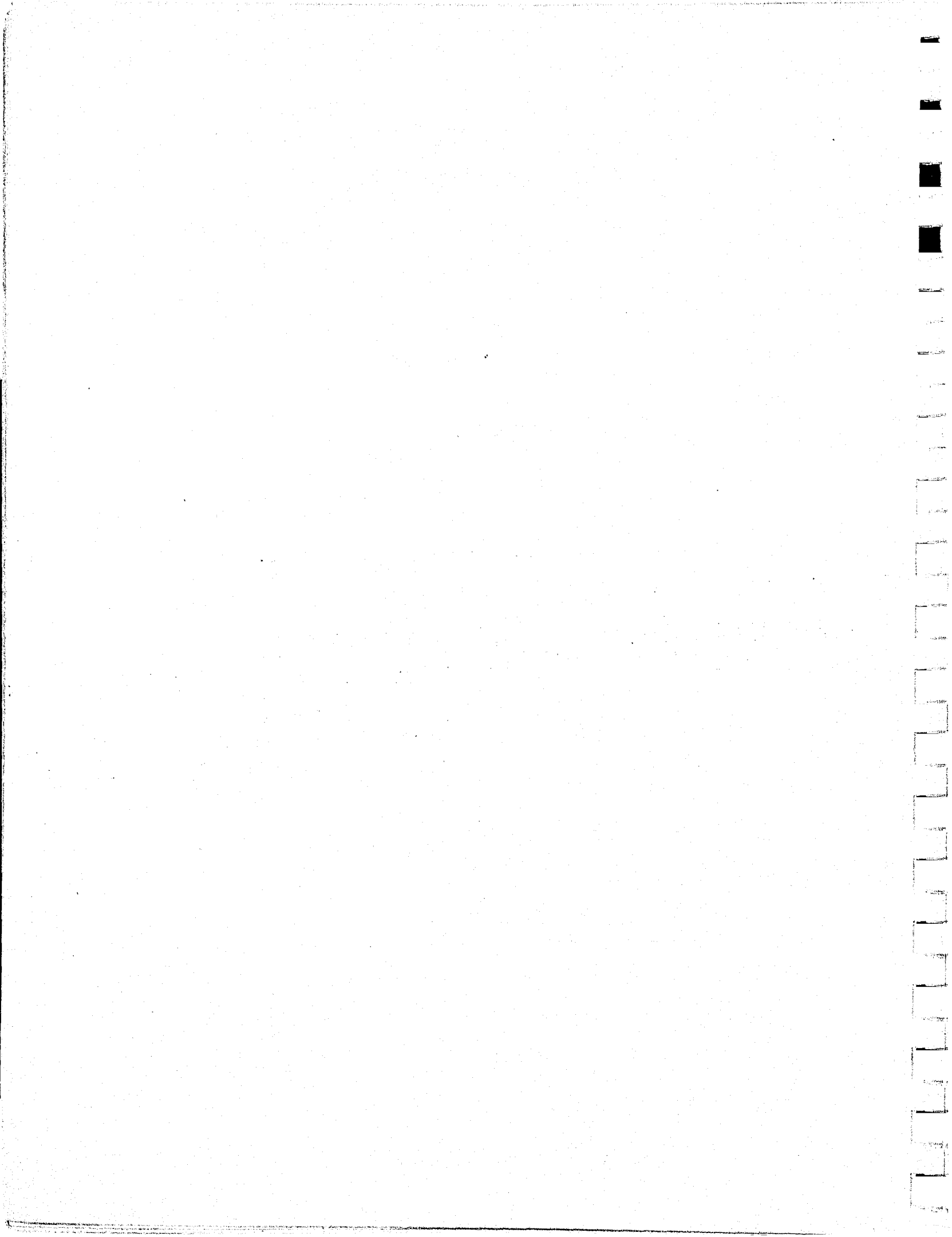


contribution to successful court diversion, positive client attitudes, motivations, and behavior modification is established and there is every expectation that local funding sources will be sufficiently impressed with CORP's performance to support the project after IMPACT support has terminated.





APPENDIX A  
IMPACT CRIME  
CROSS-REFERENCE  
AND  
CODE CLASSIFICATION

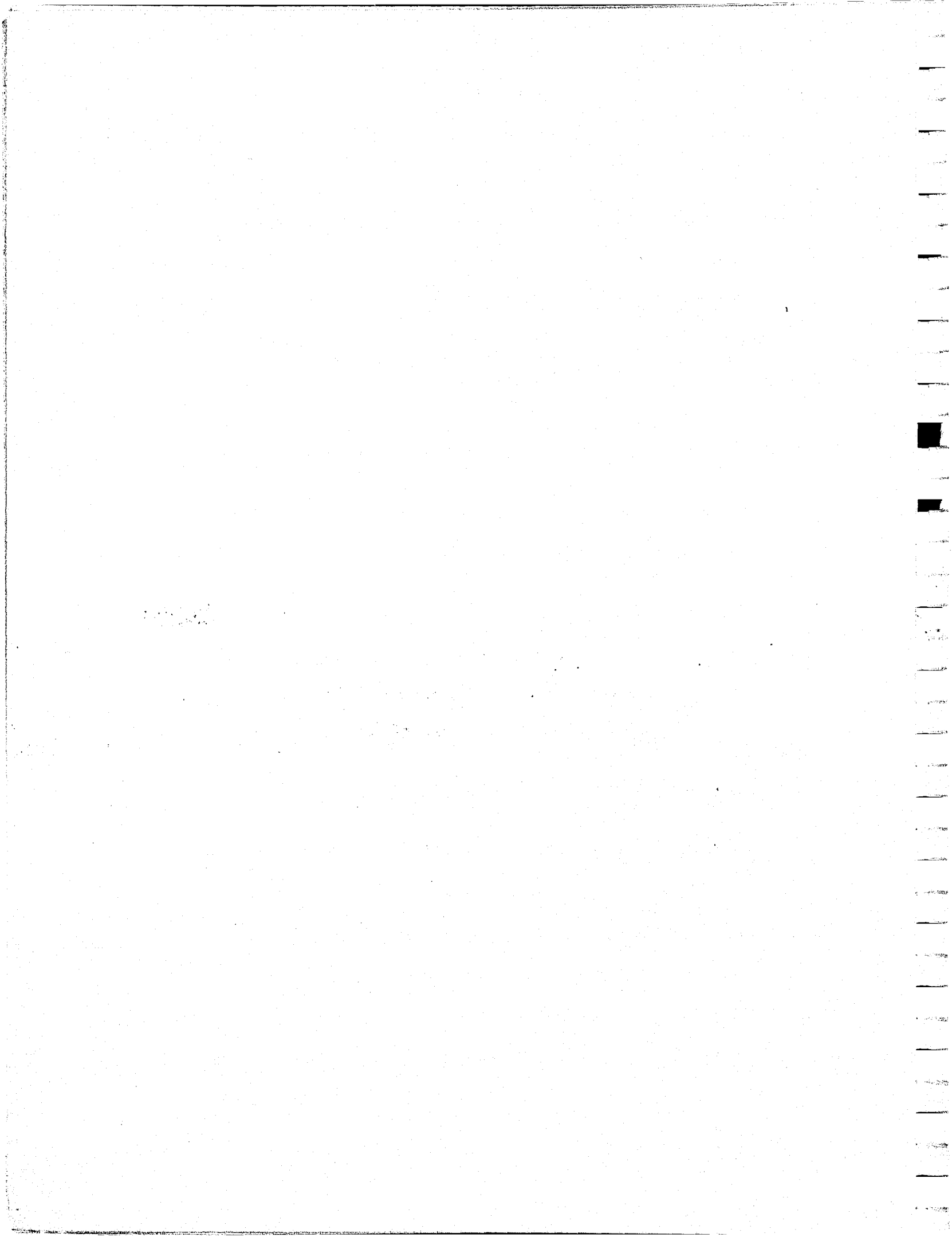


APPENDIX A  
IMPACT CRIME CROSS-REFERENCE  
AND  
JIS CODE CLASSIFICATION

This Appendix is a summary of the mapping of codes used for Judicial Information System (JIS) charges into the classifications used by the Federal Bureau of Investigation (FBI). The purposes of the classification are to show the Common Pleas Court's activities with respect to the defendants in criminal court proceedings and to assist in preparation of profiles, by crime type, for the criminal justice planning and operations agencies.

The Court of Common Pleas has developed a typology of 249 charge codes. These codes represent specific sections or subsections of the Ohio Revised Code (ORC) which were used to try defendants in 1971, 1972, and 1973. These charge codes do not reflect changes in the penal statutes which became effective on January 1, 1974.

A number of different offense taxonomies are currently being used in Cuyahoga County for operational or statistical reporting purposes. Police departments utilize the FBI's classifications of 29 categories for the major offenses; classifications for other offenses, including traffic violations, may be sub-classes of the FBI's standards or may be prepared locally apropos of local needs. The courts generally use a typology



based upon the ORC statute or section number. Municipal Courts also consider the number of the City ordinance which has allegedly been violated.

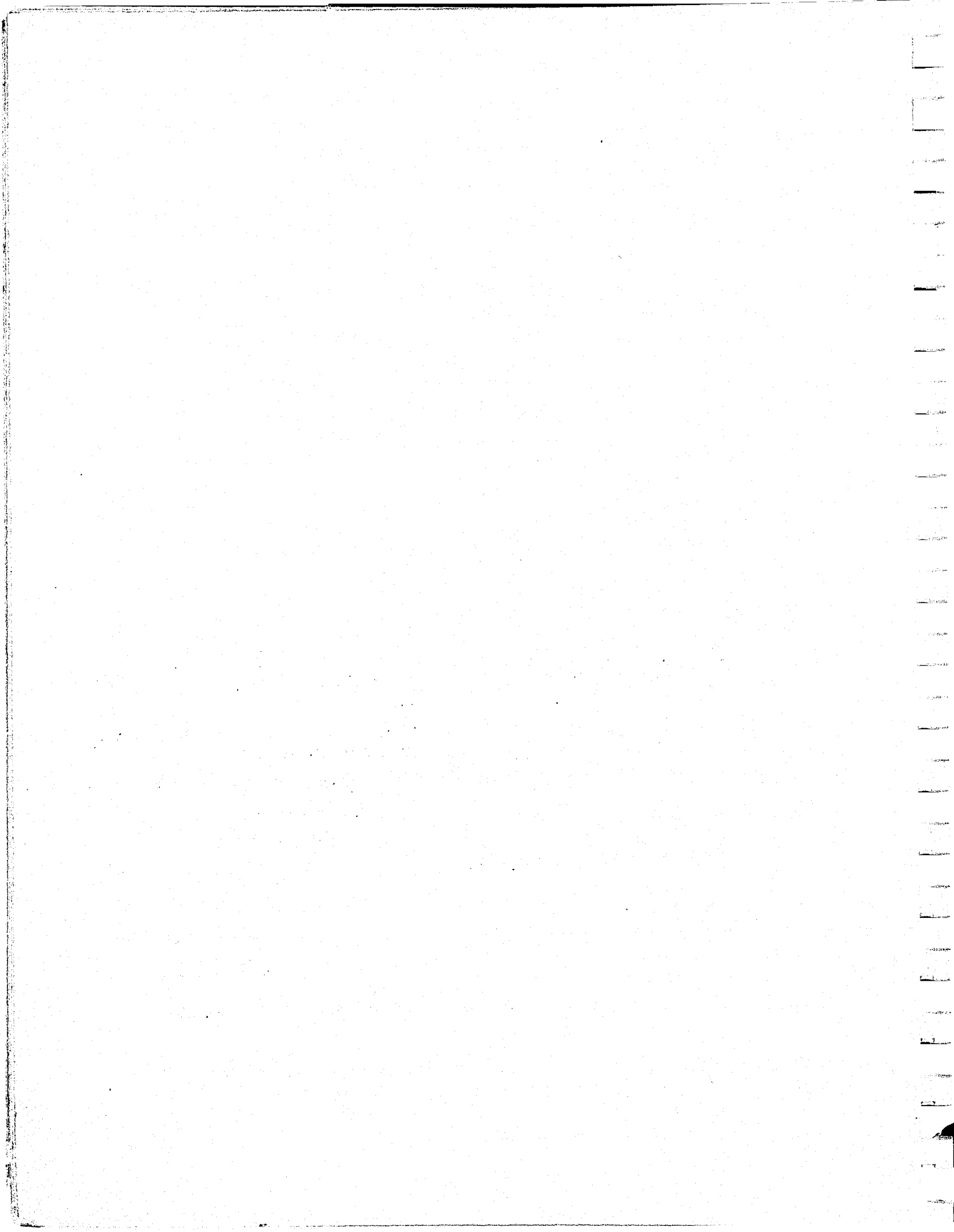
No direct inference can be drawn from police activities to the processing of the courts, or vice-versa. Law enforcement agencies account for the crimes reported or committed and the arrests made in their jurisdictions. The statutory jurisdiction of the local courts, and particularly the Common Pleas Court, includes (1) many municipalities, (2) civil, criminal, and appellate work, and (3) cases whose original venue was in another County or Municipal Court District.

The tables in this Appendix were prepared in order to examine the courts' processing of defendants for a given type of offense, and to roughly compare the magnitude of crime with the magnitude of court dispositions. Table A-1 presents a listing of the 29 FBI crime types and classifications. Table A-2 relates the JIS charge codes in Common Pleas Court, 1971-1973, to the crime classifications, which, according to the definitions in Table A-1, are IMPACT crime types, absent the stranger-to-stranger aspect.

Extensive use has been made of the FBI's UNIFORM CRIME REPORTING HANDBOOK.\* Valuable assistance has also been rendered

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\* Federal Bureau of Investigation, U. S. Department of Justice, UNIFORM CRIME REPORTING HANDBOOK, Washington: GPO (1966). The HANDBOOK is distributed by the FBI in order to encourage uniformity of reporting on a nationwide basis.



by Captain James F. Murray, Cleveland Police Department, and  
Mr. Fred S. Szabo, Police Specialist, Criminal Justice Coordinating  
Council of Greater Cleveland.



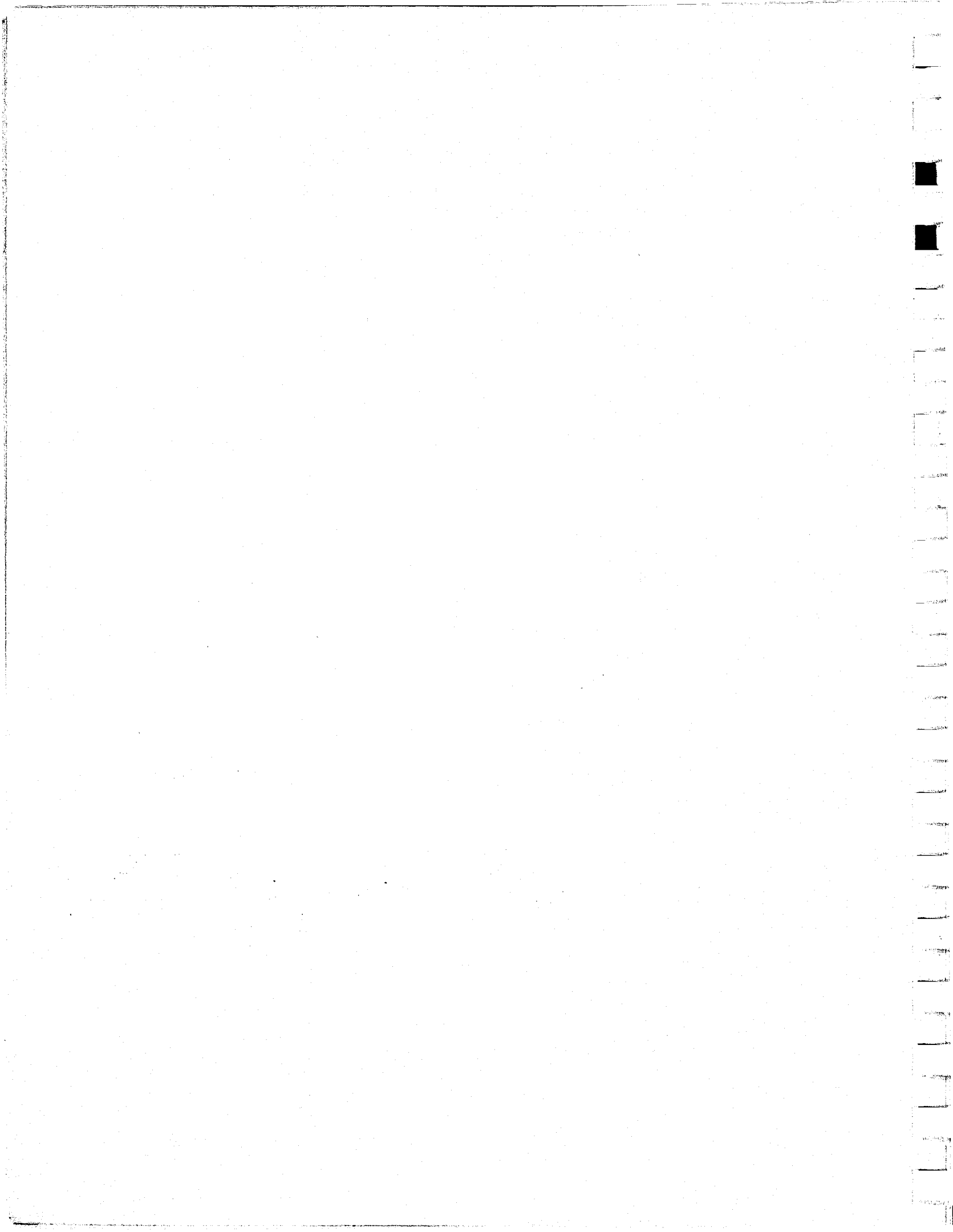
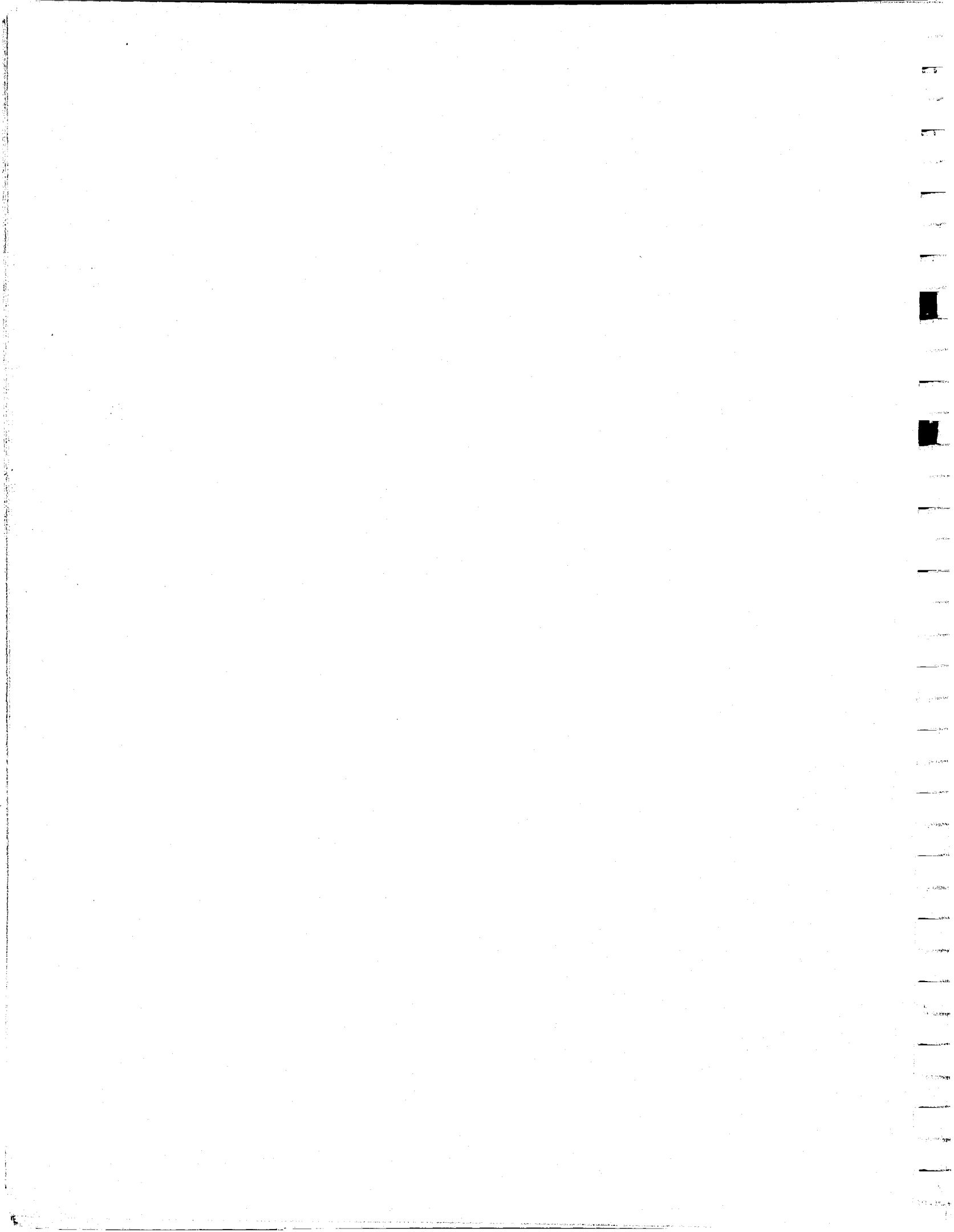
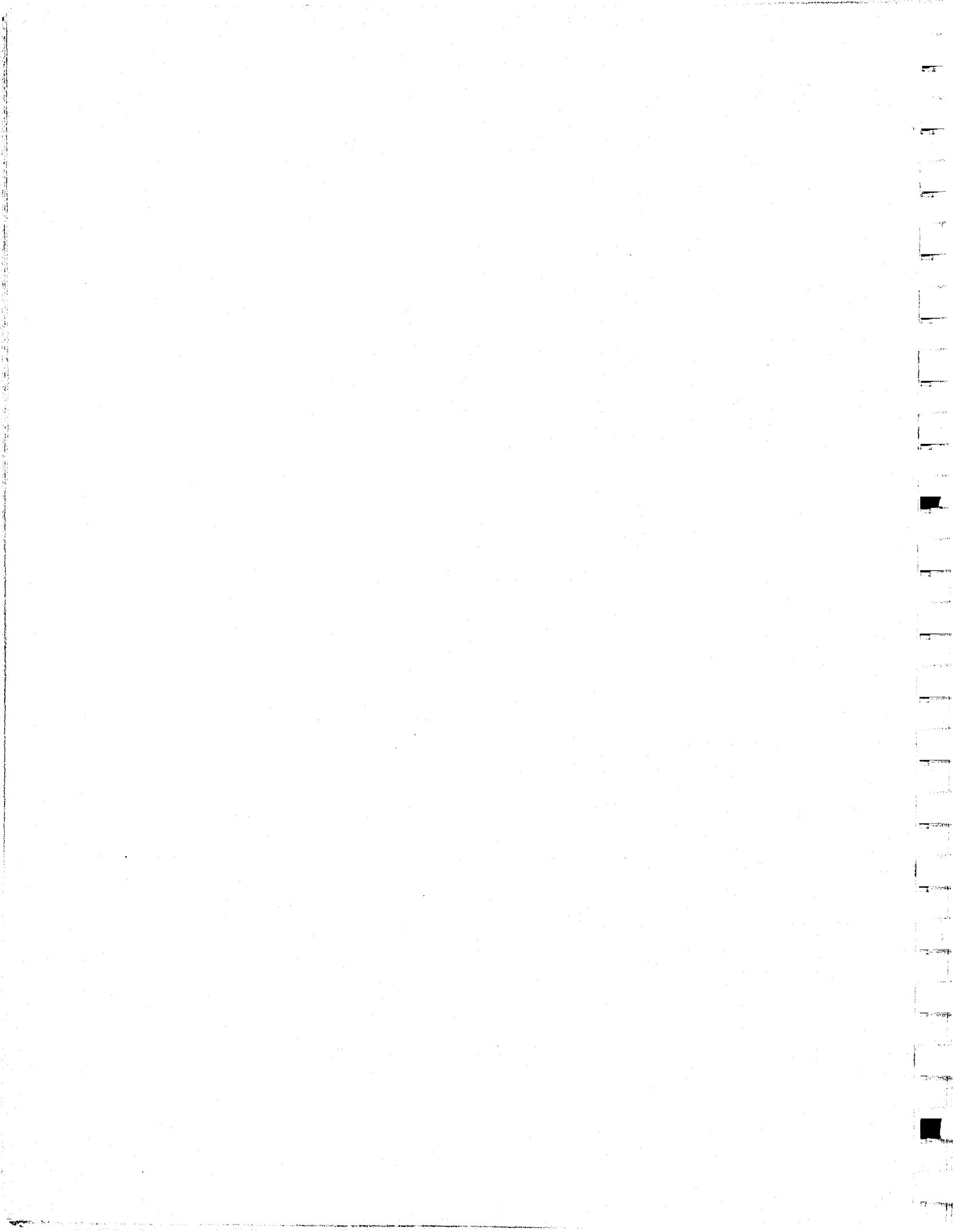


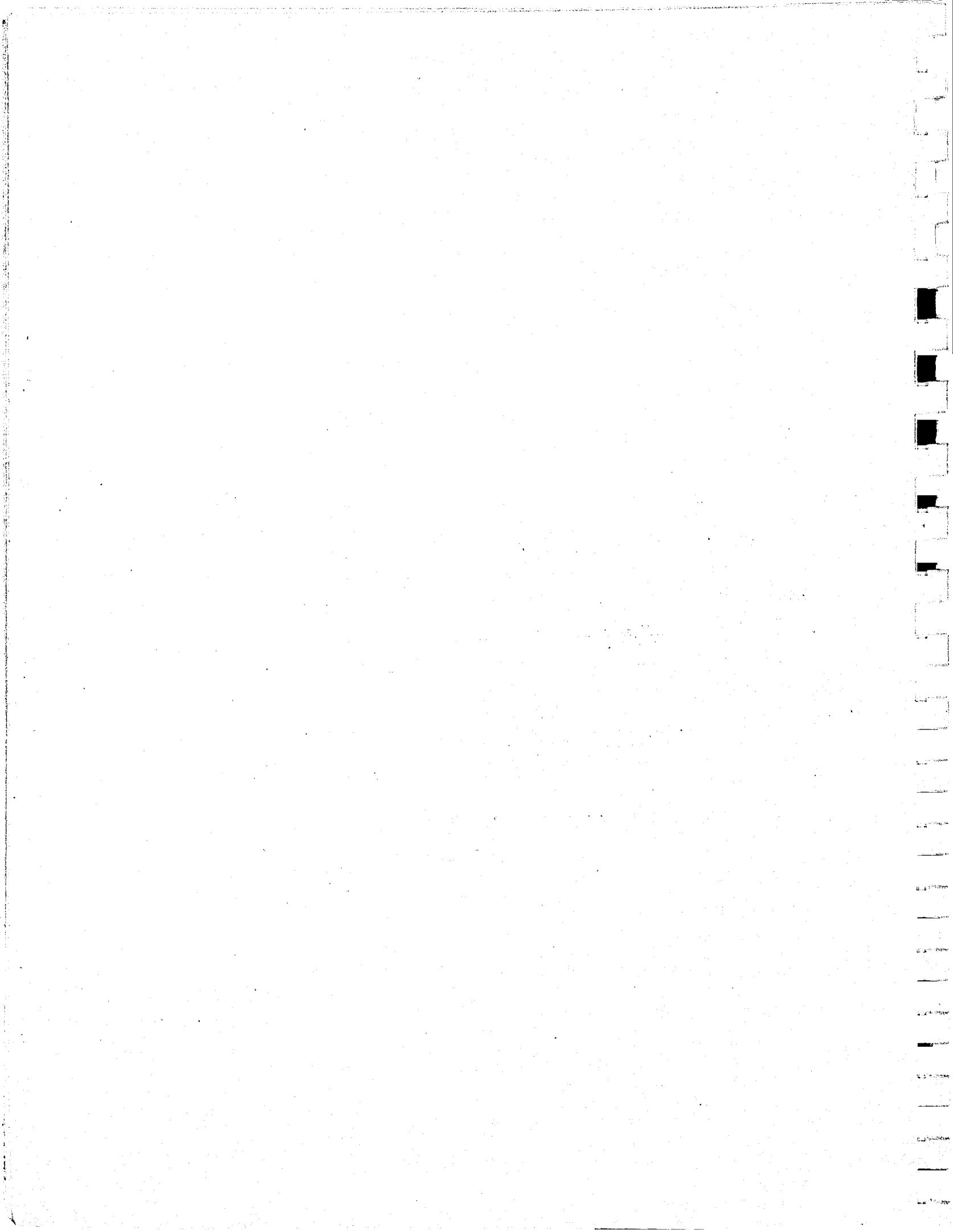
TABLE A-1  
CRIME CLASSIFICATIONS AND  
INCLUDED OFFENSES  
FEDERAL BUREAU OF INVESTIGATION



e Code and Common Name	Acts Included	Acts Not Included
<p>1 CRIMINAL HOMICIDE</p>	<p>Willful Killings Death due to fight     argument     quarrel     assault     commission of a crime Use of gun, club, knife, fists</p>	<p>Suicide Accidental death Assault to murder Attempts</p>
<p>02 FORNICIBLE RAPE</p>	<p>Carnal knowledge of a female, forcibly and     against her will Attempts</p>	<p>Statutory offenses</p>
<p>3 ROBBERY</p>	<p>Theft in the presence of the victim Using force, violence, or threats Attempts</p>	
<p>04 AGGRAVATED ASSAULT</p>	<p>Unlawful attack by one person upon another For the purpose of inflicting severe bodily     injury Usually accompanied by the use of a weapon or     other means likely to produce death or     great bodily harm Assault with intent to kill or murder Poisoning Assault with a dangerous or deadly weapon Maiming Mayhem Assault with intent to maim Assault with intent to commit mayhem Assault with explosives Attempts to commit the above</p>	<p>Assaults with intent to commit     another felony</p>
<p>05 BURGLARY</p>	<p>Burglary Housebreaking Safecracking Unlawful entry to commit a felony Breaking and entering Unlawful entry Burglary and larceny Attempts to commit the above</p>	<p>Shoplifting Theft from motor vehicle Theft from coin machine Theft from telephone Vandalism Malicious mischief</p>
<p>6 LARCENY/ THEFT</p>	<p>Steal, take and carry, lead away, drive away,     ride away, with intent to deprive of     ownership or with intent to convert Pocket-picking Pursesnatching Shoplifting Theft from motor vehicle</p>	<p>Auto theft</p>

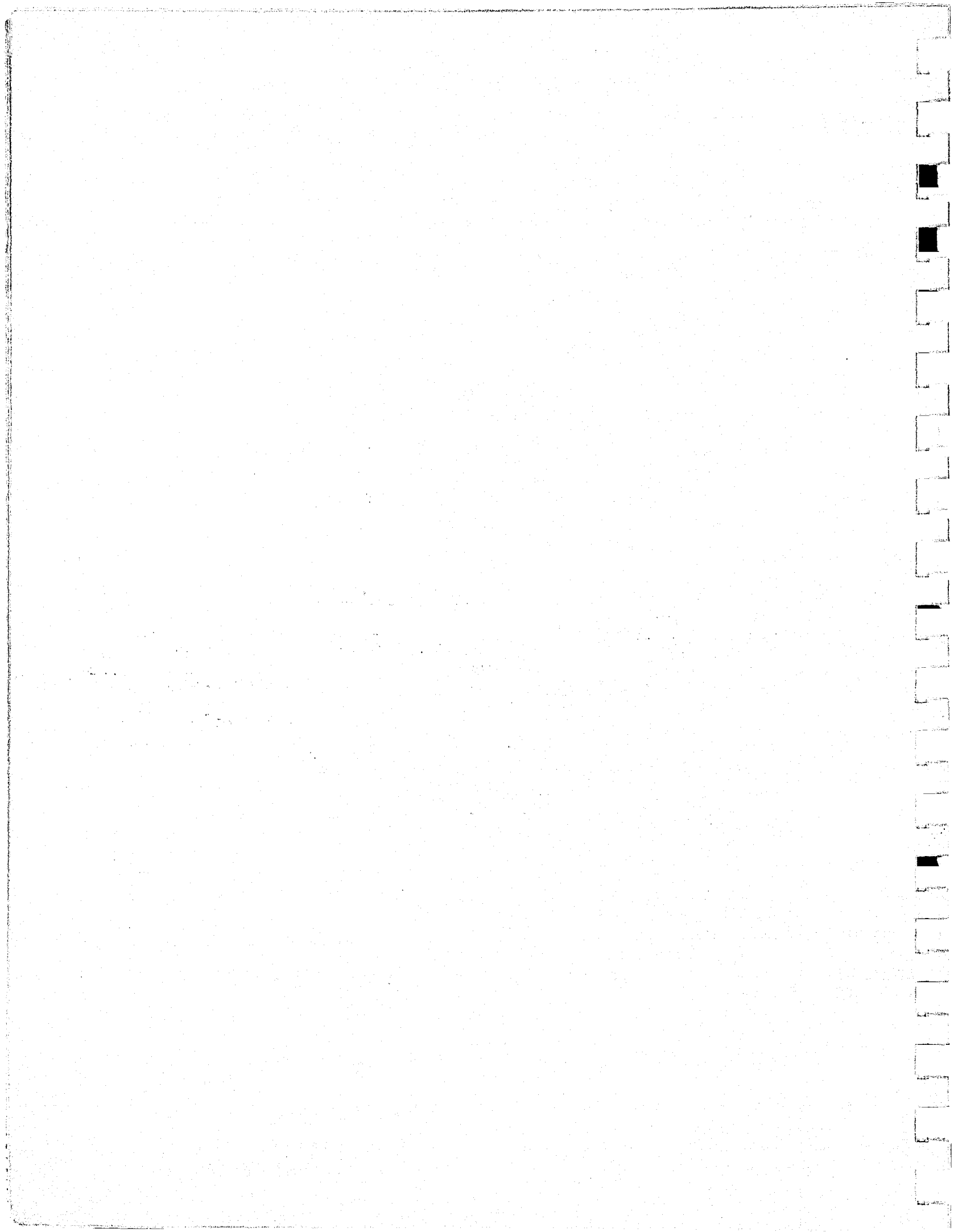


Code and Name	Acts Included	Acts Not Included
06 MONEY/ THEFT (cont'd.)	Theft of auto parts and/or accessories Theft of bicycles Theft from buildings Theft from coin-operated device or machine	
07 AUTO THEFT	Operating a motor vehicle without the owner's consent Prior authority to take, drive, and operate is not granted or assumed Jeyriding	
08 OTHER SAULTS	Assault and battery Pointing a gun in jest Injury by culpable negligence Intimidation Coercion Resisting or obstructing an officer Hazing Attempts to commit the above	
09 BURNING	Willful or malicious burning, or attempting to burn, with or without intent to defraud	
10 FORGERY AND COUNTER- FEITING	Make, alter, utter, or possess With intent to defraud Anything false in the semblance of that which is true Alter or forge public and other records Make, alter, forge, or counterfeit bills, notes, drafts, tickets, checks, credit cards, etc. Forge wills, deeds, notes, bonds, seals, trademarks, etc. Counterfeit coins, plates, bank notes, checks, etc. Possess or utter forged or counterfeit instruments Erasures Sign the name of another or fictitious person with intent to defraud Use forged labels Possess, manufacture, etc. counterfeiting apparatus Sell goods with altered, forged, or counterfeited trademarks Attempts to commit the above	
FRAUD	Fraudulent conversion Obtain money or property by false pretenses Bad checks Confidence games	Forgery Counterfeiting



e Code and Common Name	Acts Included	Acts Not Included
12 EMBEZZLEMENT	Misappropriate or misapply money or property entrusted for care, custody, or control	
13 STOLEN PROPERTY	Buying stolen property Receiving stolen property Possessing stolen property Attempts to commit the above	
14 VANDALISM	Willful or malicious destruction, injury, disfigurement or defacement Any public or private property, real or personal Without consent of the owner or person having control By cutting, tearing, breaking, marking, painting, drawing, covering with filth, etc. Cutting auto tires Drawing obscene pictures on public restroom walls Smashing windows Destroying school records Tipping over gravestones Defacing library books Attempts to commit the above	
5 WEAPONS	Weapons offenses which are regulatory in nature Manufacture of deadly weapons Sale of deadly weapons Possession of deadly weapons Carrying deadly weapons, concealed or openly Use, manufacture, possess silencers Furnish deadly weapons to minors Alien possessing deadly weapons Attempts to commit the above	
6 PROSTITUTION AND COMMERCIALIZED VICE	Commercialized sex offenses Prostitution Keeping a bawdy house, disorderly house, or house of ill fame Pandering Procuring women for immoral purposes Transporting women for immoral purposes Detaining women for immoral purposes Attempts to commit the above	
7 SEX OFFENSES	Offenses against chastity Offenses against common decency Offenses against morals	Forcible rape Prostitution Commercialized vice





Code and  
on Name

Acts Included

Acts Not Included

17  
SEX OFFENSE  
(cont'd.)

Adultery  
Fornication  
Buggery  
Incest  
Indecent exposure  
Indecent liberties  
Intercourse with an insane, epileptic, or  
venereally-diseased person  
Seduction  
Sodomy or the crime against nature  
Statutory rape (no force)  
Attempts to commit the above

8  
NARCOTIC  
DRUG LAWS

Unlawful possession  
Unlawful sale  
Unlawful use  
Unlawful growing  
Unlawful manufacturing  
Unlawful making

19  
GAMBLING

Promote gambling  
Permit gambling  
Engage in gambling  
Bookmaking, horse and sport book  
Numbers and lottery

20  
OFFENSES  
AGAINST THE  
FAMILY AND  
CHILDREN

Nonsupport of family  
Neglect of children  
Abuse of children  
Desertion, abandonment, or nonsupport of  
wife or children  
Nonpayment of alimony  
Attempts to commit the above

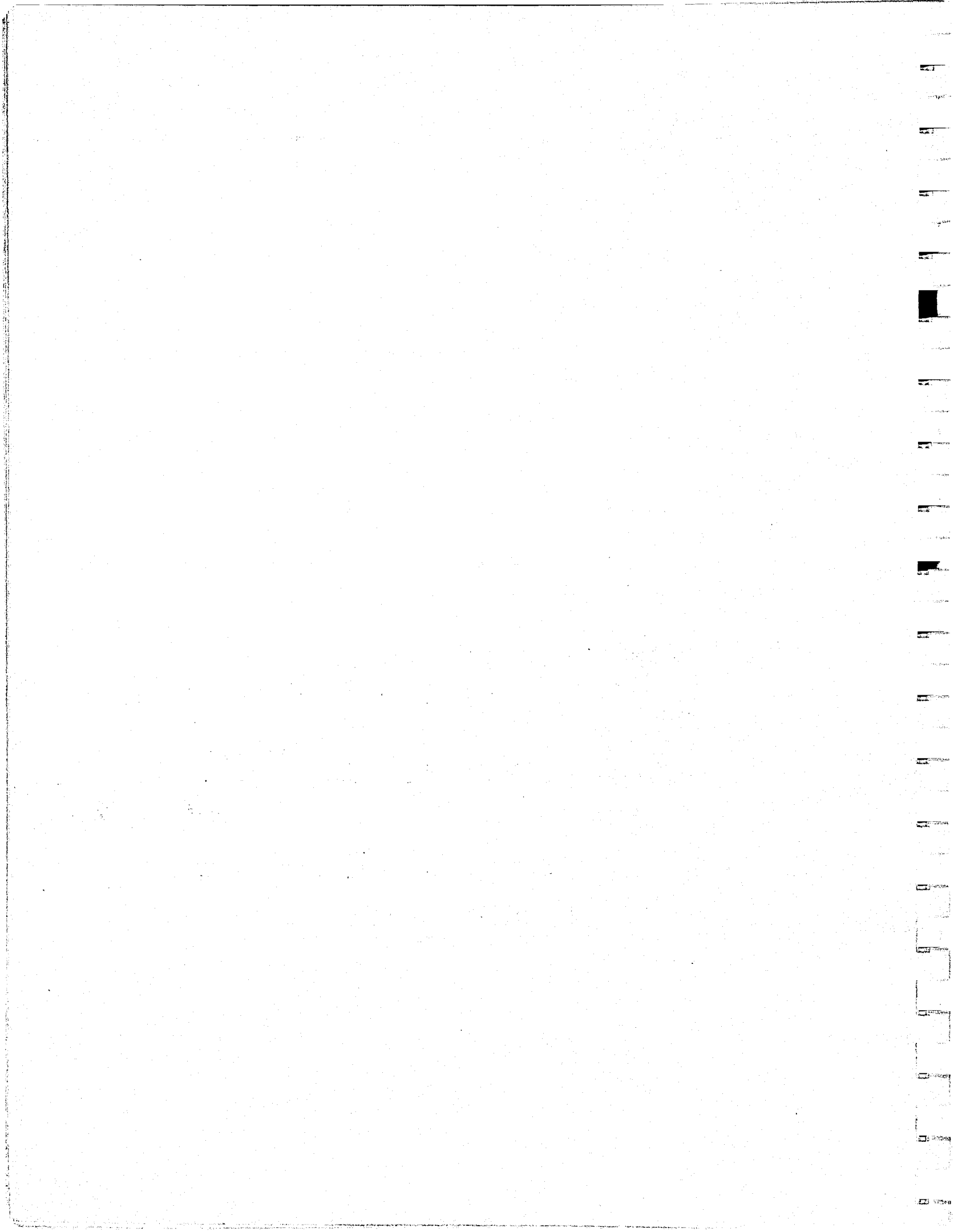
1  
DRIVING  
UNDER THE  
INFLUENCE

Operate a motor vehicle while intoxicated  
Operate an engine, train, street-car, boat;  
etc., while intoxicated  
Drunk or under the influence of liquor or  
narcotics

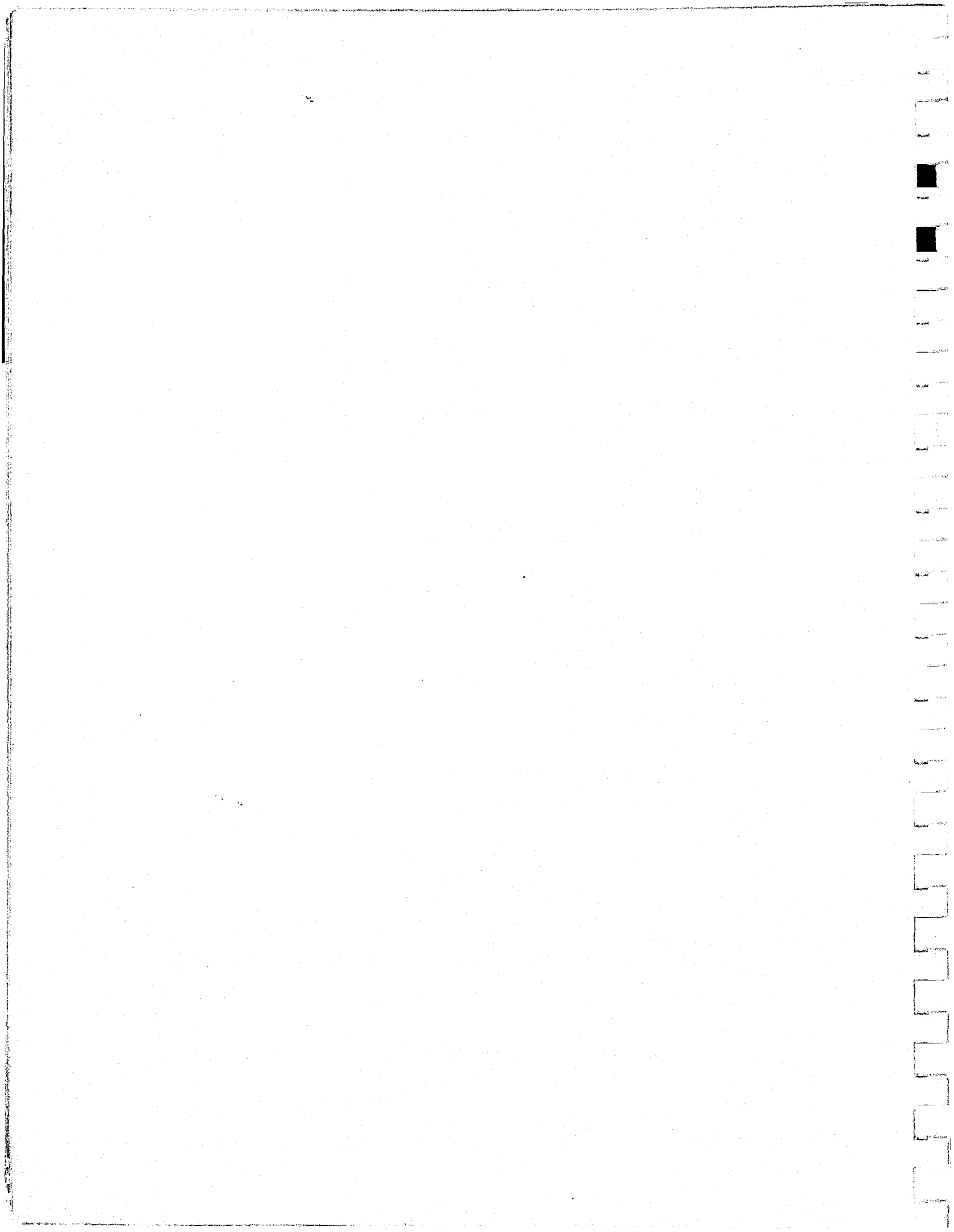
2  
LIQUOR LAWS

State or local violations  
Manufacture, sell, transport, furnish, possess,  
etc. intoxicating liquor  
Maintain unlawful drinking place  
Advertise and solicit orders for intoxicating  
liquor  
Bootlegging  
Operating a still

Drunkness  
Driving under the influence



e Code and on Name	Acts Included	Acts Not Included
2 LIQUOR LAWS (cont'd.)	Furnish liquor to minors Furnish liquor to intemperate person Use vehicle for illegal transportation of liquor Drink on train or public conveyance Attempts to commit the above	
3 DRUNKENNESS	Drunkenness Drunk and disorderly Common or habitual drunkard Intoxication	Driving under the influence
4 DISORDERLY CONDUCT	Commit a breach of the peace Affray Unlawful assembly Disturbing the peace Disturbing meetings Disorderly conduct in state institutions at fairs at court on trains on public conveyances etc. Disguised and masked persons Night riders Prize fights Blasphemy, profanity, and obscene language Desecrating the flag Refusing to assist an officer Attempts to commit the above	
VAGRANCY	Being a suspicious character or person, etc. Vagrancy Begging Loitering (Adults) Vagabondage	Suspicion
ALL OTHER OFFENSES	Every other State or local offense Abduction and compelling to marry Abortion Admitting minors to improper places Assisting another in the commission of self-murder Bastardy and concealing the death of a bastard Bigamy and polygamy Blackmail and extortion Bribery Combination in restraint of trade; trusts, monopolies	Classes 1 through 25 Death resulting from abortion



e Code and on Name	Acts Included	Acts Not Included
<p>6 OTHER OFFENSES cont'd.)</p>	<p>Contempt of court                      Criminal anarchism                      Criminal syndicalism                      Discrimination, unfair competition                      Displaying red or black flag                      Kidnaping                      Marriage within prohibited degrees                      Miscegenation                      Offenses contributing to juvenile delinquency,                      unless otherwise specified herein,                      such as employment of children in immoral                      vocations or practices, admitting minors                      to improper places, etc.                      Perjury and subornation of perjury                      Possession, repair, manufacture, etc., of                      burglar's tools                      Possession or sale of obscene literature,                      pictures, etc.                      Public nuisances                      Riot and rout                      Trespass                      Unlawfully bringing weapons into prisons or                      hospitals                      Unlawfully bringing drugs or liquor into state                      prisons, hospitals, etc.; furnishing                      to convicts                      Unlawful disinterment of the dead and violation                      of sepulture                      Unlawful use, possession, etc., of explosives                      Violations of State regulatory laws and                      municipal ordinances not otherwise                      specified herein                      Violation of quarantine                      All offenses not otherwise classified                      Attempts to commit the above</p>	
<p>7 SUSPICION</p>	<p>Suspicion, later released by police</p>	
<p>8 CURFEW AND LOITERING LAW (JUVENILES)</p>	<p>Violation of local curfew                      Violation of local loitering ordinances</p>	
<p>9 RUN-AWAY (JUVENILES)</p>	<p>Protective custody apprehensions                      Apprehensions of local juveniles in other                      jurisdictions</p>	<p>Protective custody for other                      jurisdictions</p>

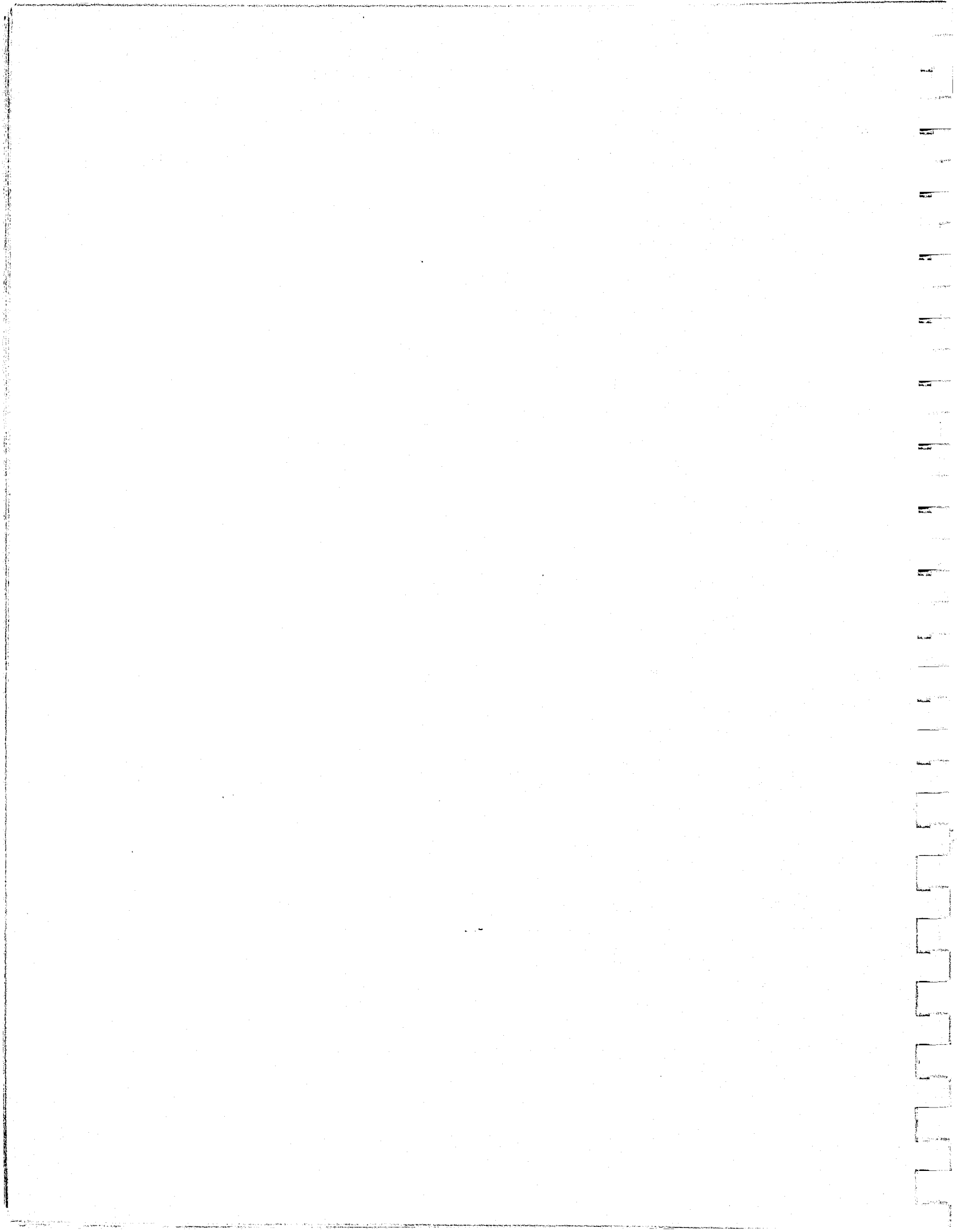
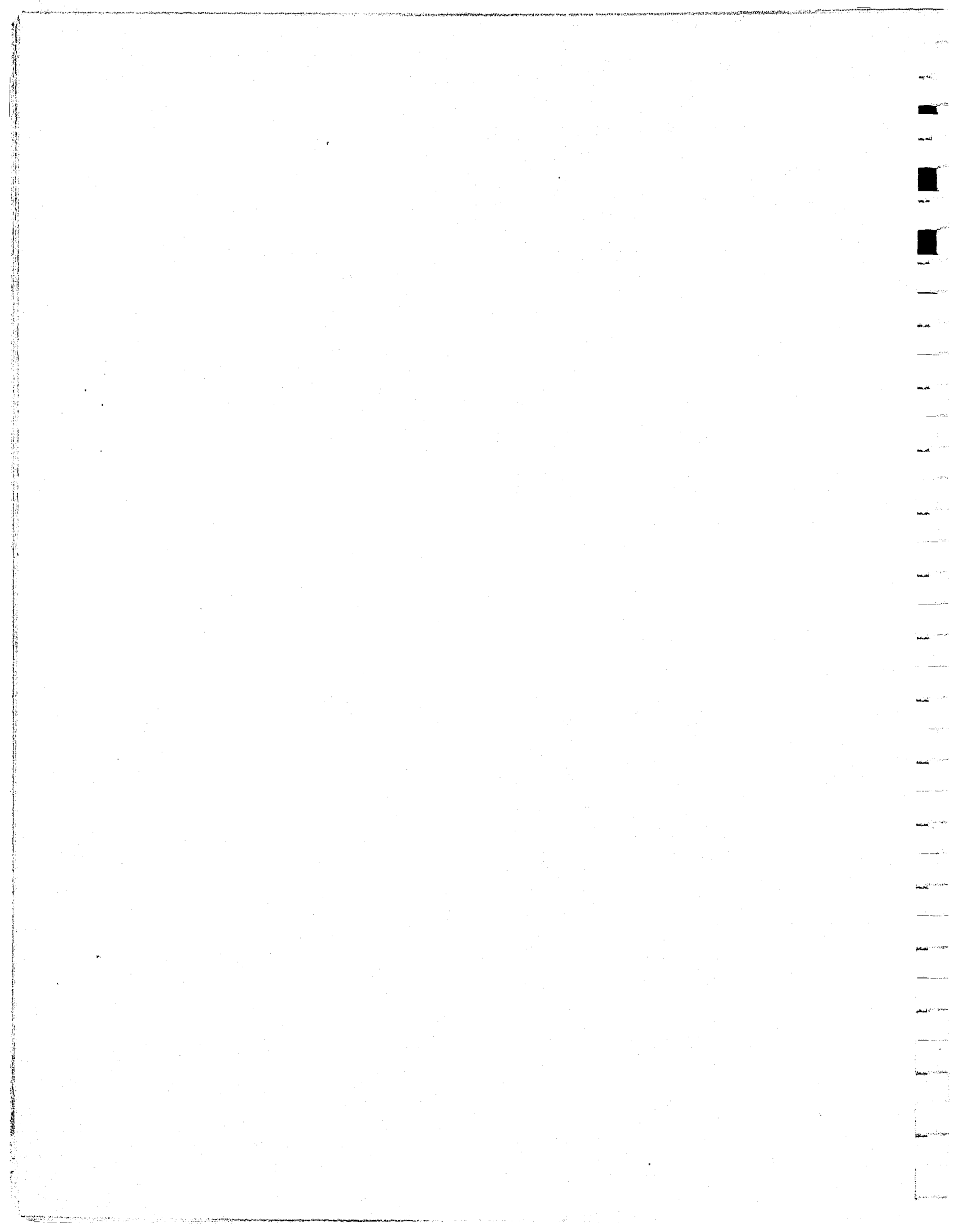


TABLE A-2

CROSS-REFERENCE LISTING  
 IMPACT CRIME TYPES  
 AND  
 JIS CHARGE CODES

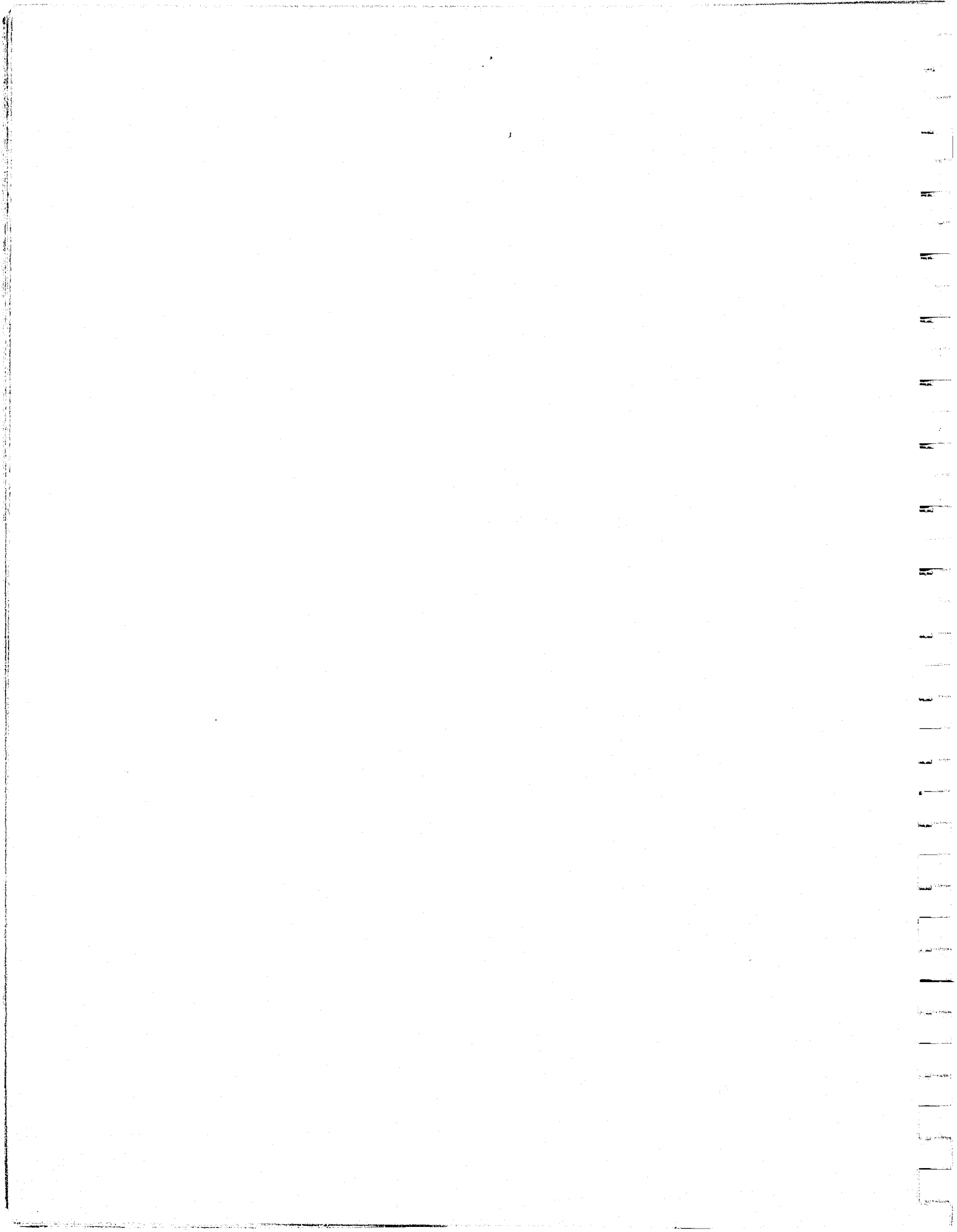
FBI CRIME TYPE	JIS CODE	ORC (1973)	-----INCLUDED JIS CHARGES----- DESCRIPTION (1973)
01 Homicide	0029	4511.181	Homicide motor vehicle first degree
	0037	2901.01	Murder first degree
	0038	2901.05	Murder second degree
	0089	2901.04	Taking the life of a police officer
	0100	2901.01	Murder while perpetrating a robbery
	0101	4511.18	Homicide motor vehicle second degree
	0140	2901.01	Murder while perpetrating rape
	0230	2901.28	Abduction resulting in death
02 Forcible Rape	0006	2901.24	Assault to rape
	0047	2905.01	Rape
	0105	2905.041	Assault to rape female under 14
	0135	2905.031	Rape of female under 14
	0175	2905.02	Rape of female under 12
03 Robbery	0003	2901.13	Armed robbery
	0007	2901.24	Assault to rob
	0049	2901.12	Robbery
	0184	2907.141	Robbery of a financial institution
	0193	2907.141	Unlawful entry of a financial institution
04 Aggravated Assault	0002	2901.241	Aggravated assault
	0005	2901.24	Assault to kill
	0020	2901.23	Cutting
	0050	2901.23	Shooting
	0051	2901.23	Shooting at
	0052	2901.23	Stabbing
	0068	2901.19	Maiming
	0132	3773.04	Pointing a firearm
	0162	2901.18	Torturing
	0164	2901.252	Assault to strike a law officer
	0167	2901.11	Convict wounding an officer
	0262	2907.145	Assault during robbery
05 Burglary	0008	2907.10	Attempted burglary
	0014	2907.10	Breaking and entering an uninhabited dwelling at night
	0015	2907.10	Burglary of an uninhabited dwelling
	0016	2907.09	Burglary of an inhabited dwelling
	0030	2907.15	Housebreaking
	0060	2907.13	Malicious entry
	0080	4549.041	Breaking into a locked auto
	0099	2907.16	Entry by night to commit personal violence
	0124	2907.12	Forcible entry into a safe
	0172	2907.17	Entry by day to commit personal violence





APPENDIX B

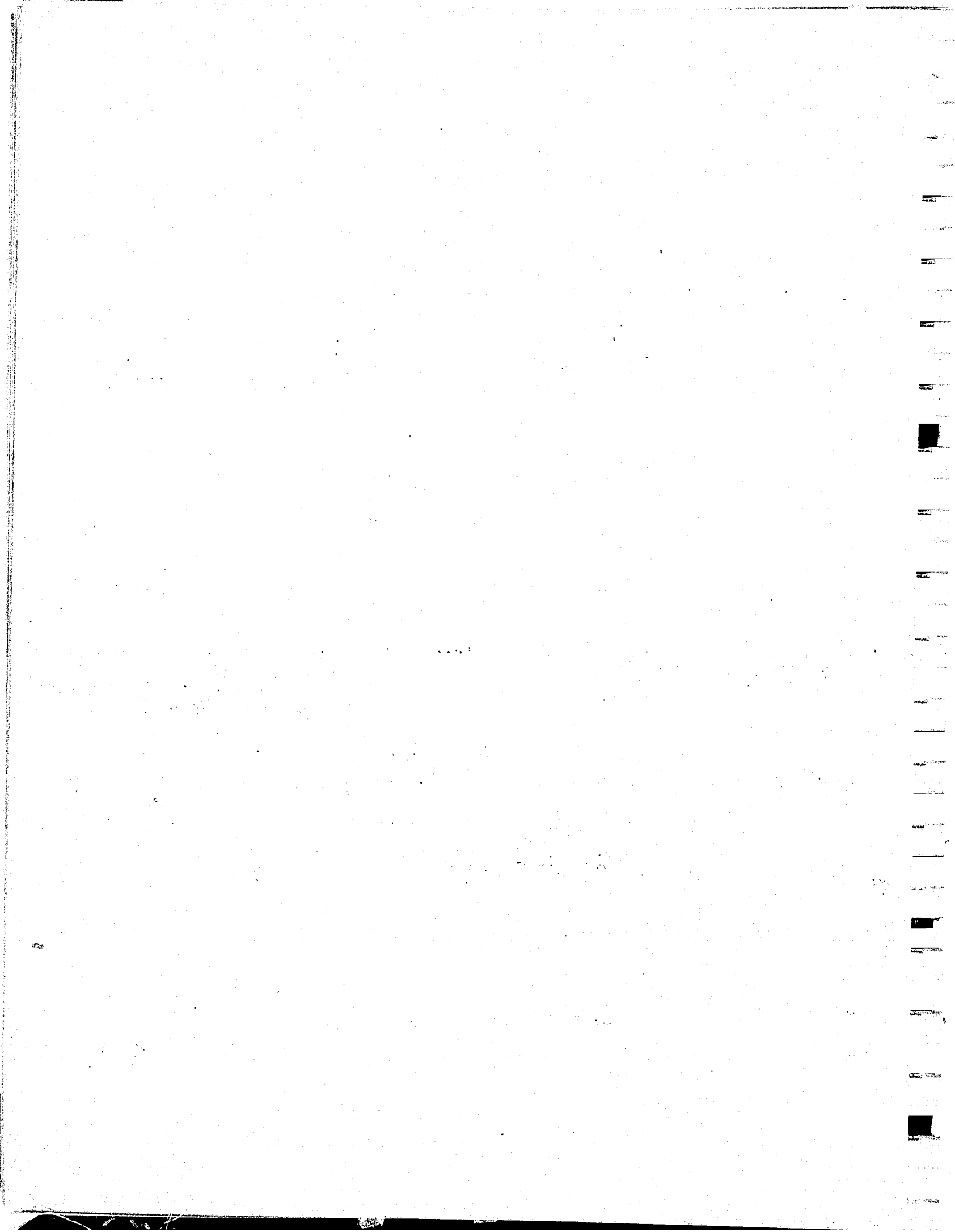
MONTHLY PERFORMANCE STATUS REPORT  
CLEVELAND OFFENDER REHABILITATION PROJECT



CLEVELAND IMPACT PERFORMANCE STATUS REPORT

PROJECT: CLEVELAND OFFENDER REHABILITATION PROJECT

REPORTING PERIOD (MONTH): \_\_\_\_\_



I. Statistical data for this period.

A. <u>Milestone</u>	Monthly	Cumulative
Intake	_____	_____
Initial Terminations	_____	_____
Enrolled	_____	_____
Program Terminations	_____	_____
Program Completions	_____	_____
Close-outs	_____	_____
 B. <u>Inventories</u>		
	_____	
	_____	
Follow-up	_____	

II. Client/Worker Data

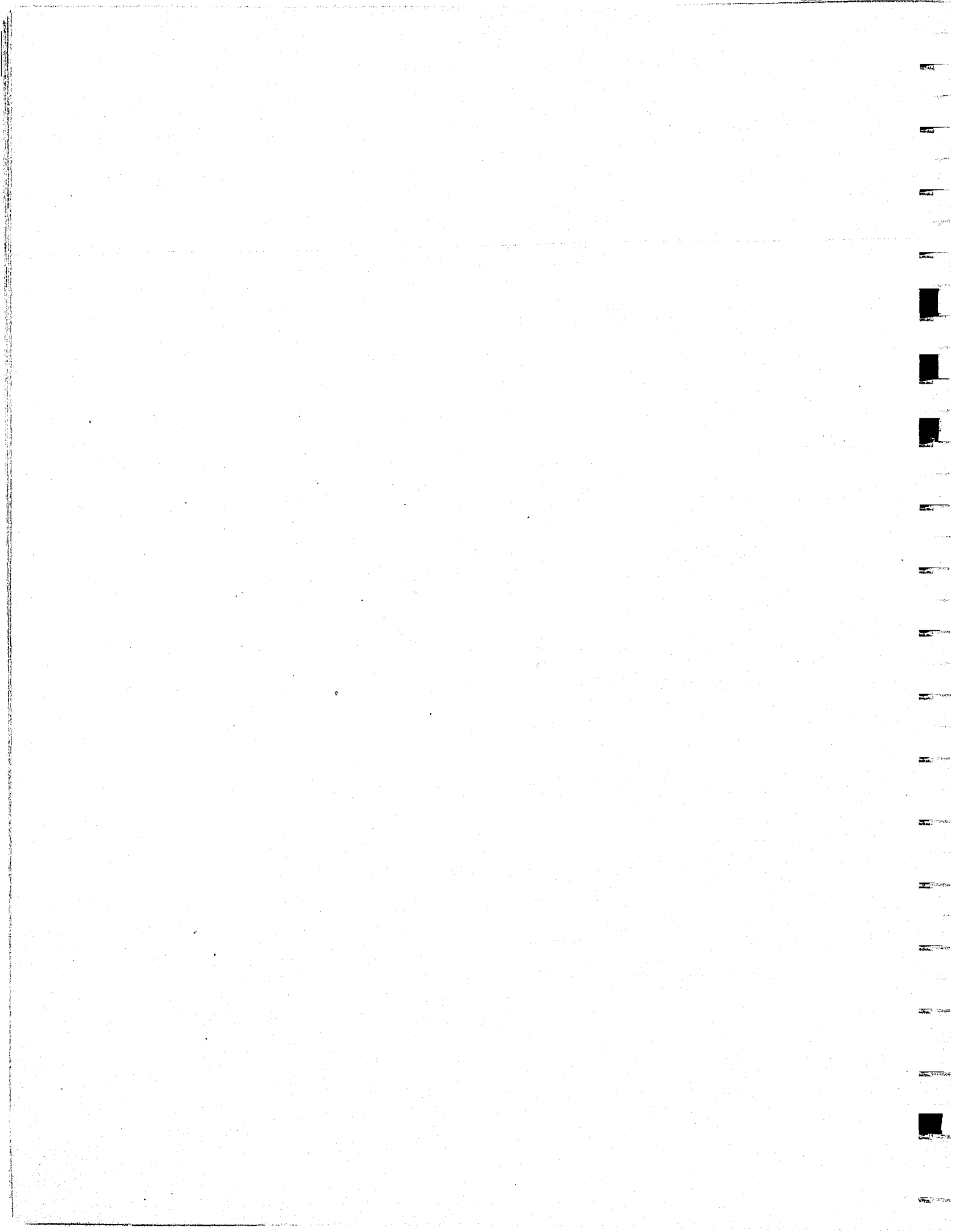
A. Counseling

1. Individual counseling during this period:

	Pending	Active	Follow-up
No. of clients served	_____	_____	_____
No. of counselors involved	_____	_____	_____
No. of sessions held	_____	_____	_____
No. of hours	_____	_____	_____
TOTAL Individual Sessions Held by Counselors			_____
TOTAL Hours of Individual Sessions Held by Counselors			_____

2. Group Counseling Services during this period:

	Pending	Active	Follow-up
No. of clients served	_____	_____	_____
No. of counselors involved	_____	_____	_____
No. of sessions held	_____	_____	_____
No. of hours	_____	_____	_____
TOTAL Group Sessions Held by Counselors			_____
TOTAL Hours of Group Sessions Held by Counselors			_____



3. Status of Clients who are in the following at the end of this period:

	Pending		Active		Follow-up	
	Sat	pt ft	Sat	pt ft	Sat	pt ft
a. Employed	_____ Uns	_____ /	_____ Uns	_____ /	_____ Uns	_____ /
b. Vocational	_____ Uns	_____ /	_____ Uns	_____ /	_____ Uns	_____ /
c. Education	_____ Uns	_____ /	_____ Uns	_____ /	_____ Uns	_____ /

	Pending	Active	Follow-up
d. None of the above	_____	_____	_____
(1) both a & b	(_____)	(_____)	(_____)
(2) both a &	(_____)	(_____)	(_____)
TOTAL	_____	_____	_____

4. Clients receiving vocational placement on own during this period:

Pending \_\_\_\_\_ Active \_\_\_\_\_ Follow-up \_\_\_\_\_

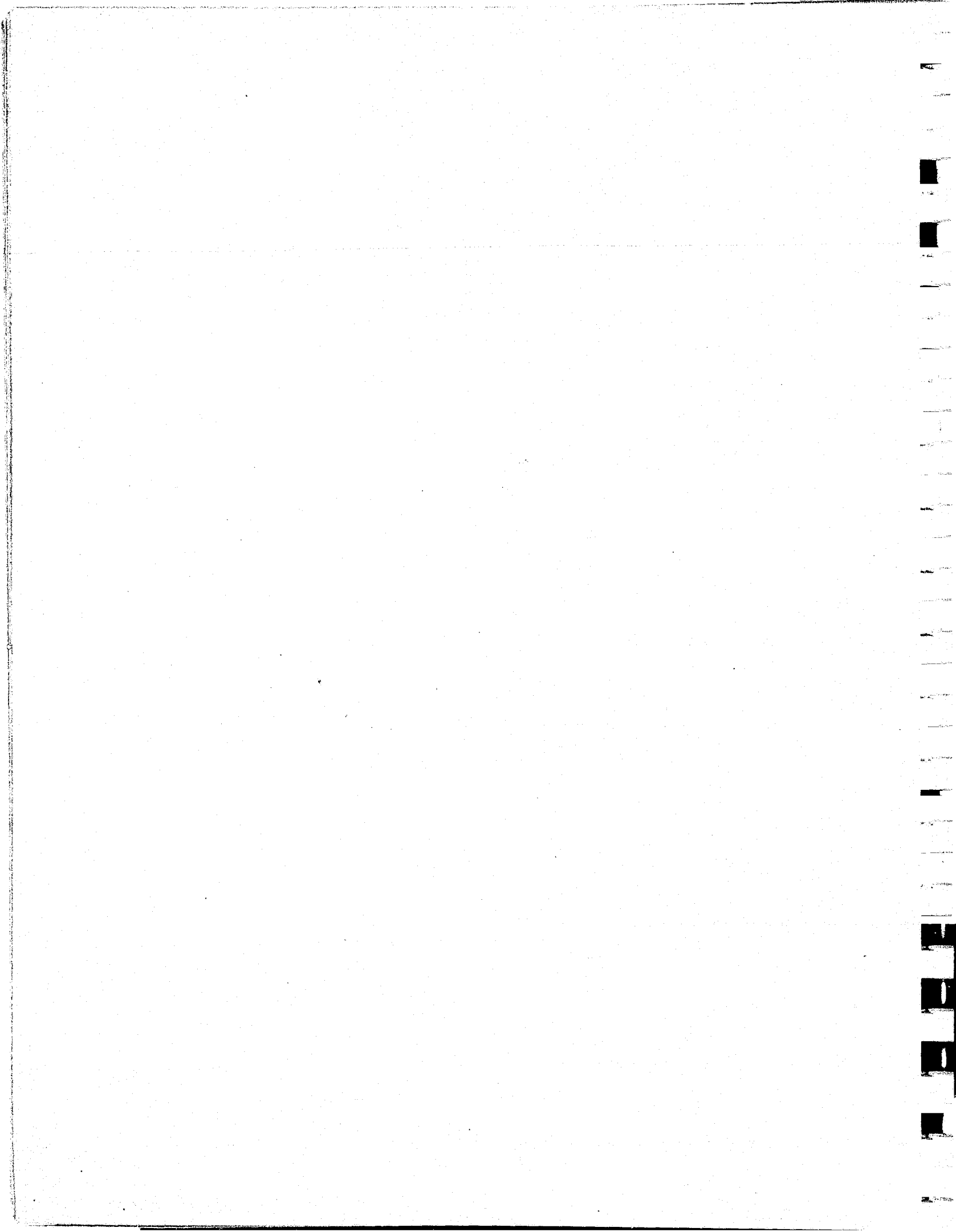
5. Clients receiving job placement on own during this period:

Pending \_\_\_\_\_ Active \_\_\_\_\_ Follow-up \_\_\_\_\_

6. Total number of clients who maintained same employment as prior to enrollment:

Pending \_\_\_\_\_ Active \_\_\_\_\_ Follow-up \_\_\_\_\_





B. Employment

1. Number of staff contacts with different potential employers during this period: \_\_\_\_\_

2. Employment Orientation:

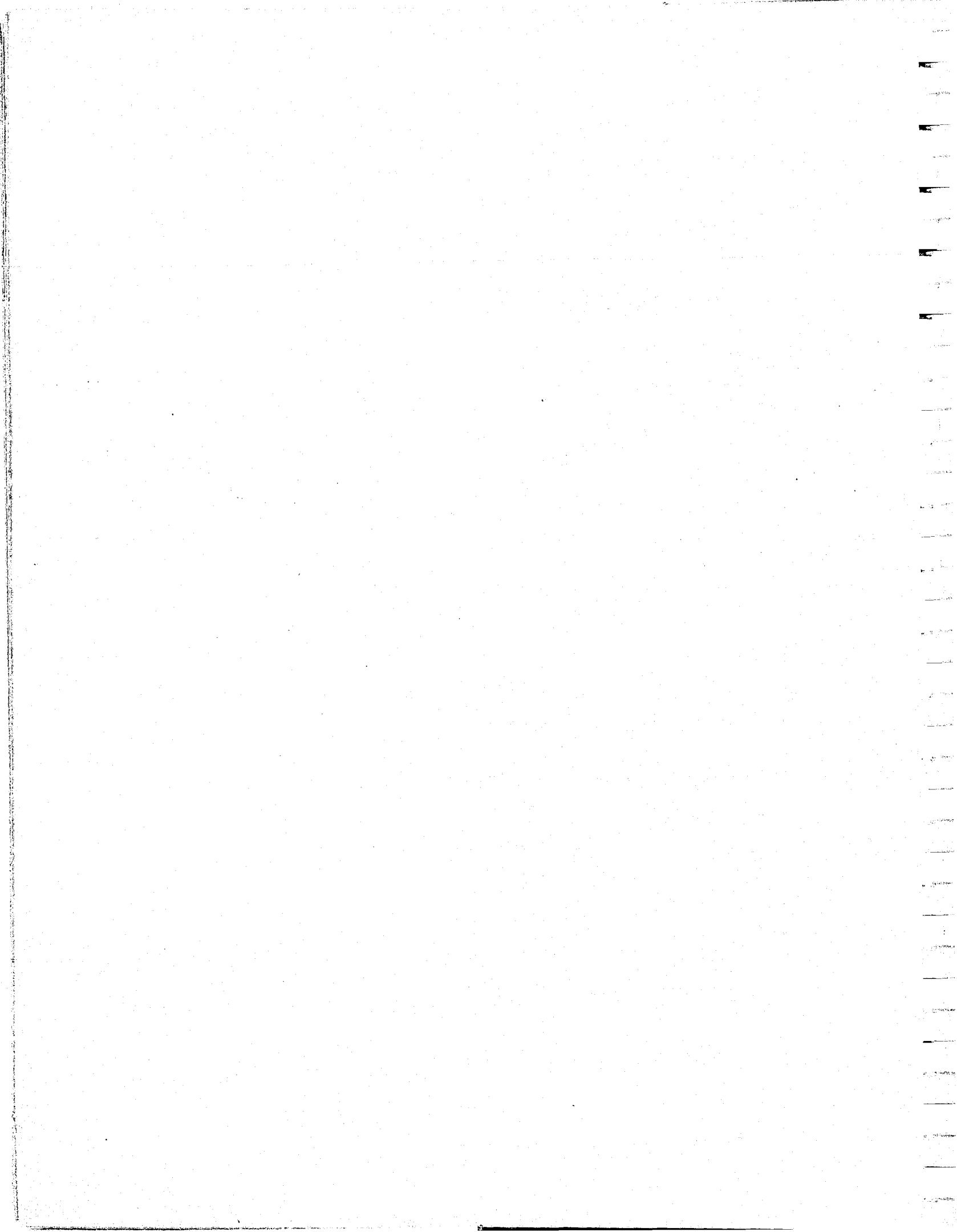
	Pending	Active	Follow-up
No of clients requesting services	_____	_____	_____
No of staff involved	_____	_____	_____
No of sessions held	_____		
No of hours	_____		

3. Employment services:

	Pending	Active	Follow-up
No of clients requesting services	_____	_____	_____
No of clients provided services	_____	_____	_____
No of sessions held	_____	_____	_____
No of hours	_____	_____	_____
No of staff involved	_____	_____	_____
No of job referrals made	_____	_____	_____
No of effective referrals	_____	_____	_____

4. Employment placements:

	Pending	Active	Follow-up
No of clients placed by CORP during this period	_____	_____	_____
No of clients placed on a job for the first time	_____	_____	_____
No of client placed in a better position	_____	_____	_____
Other (specify) _____	_____	_____	_____
No of staff involved in job development	_____		



5. No of clients who became unemployed during this period:

	Pending	Active	Follow-up
Satisfactory	_____	_____	_____
Unsatisfactory	_____	_____	_____

C. Education

1. Diagnostic testing provided clients during this period:

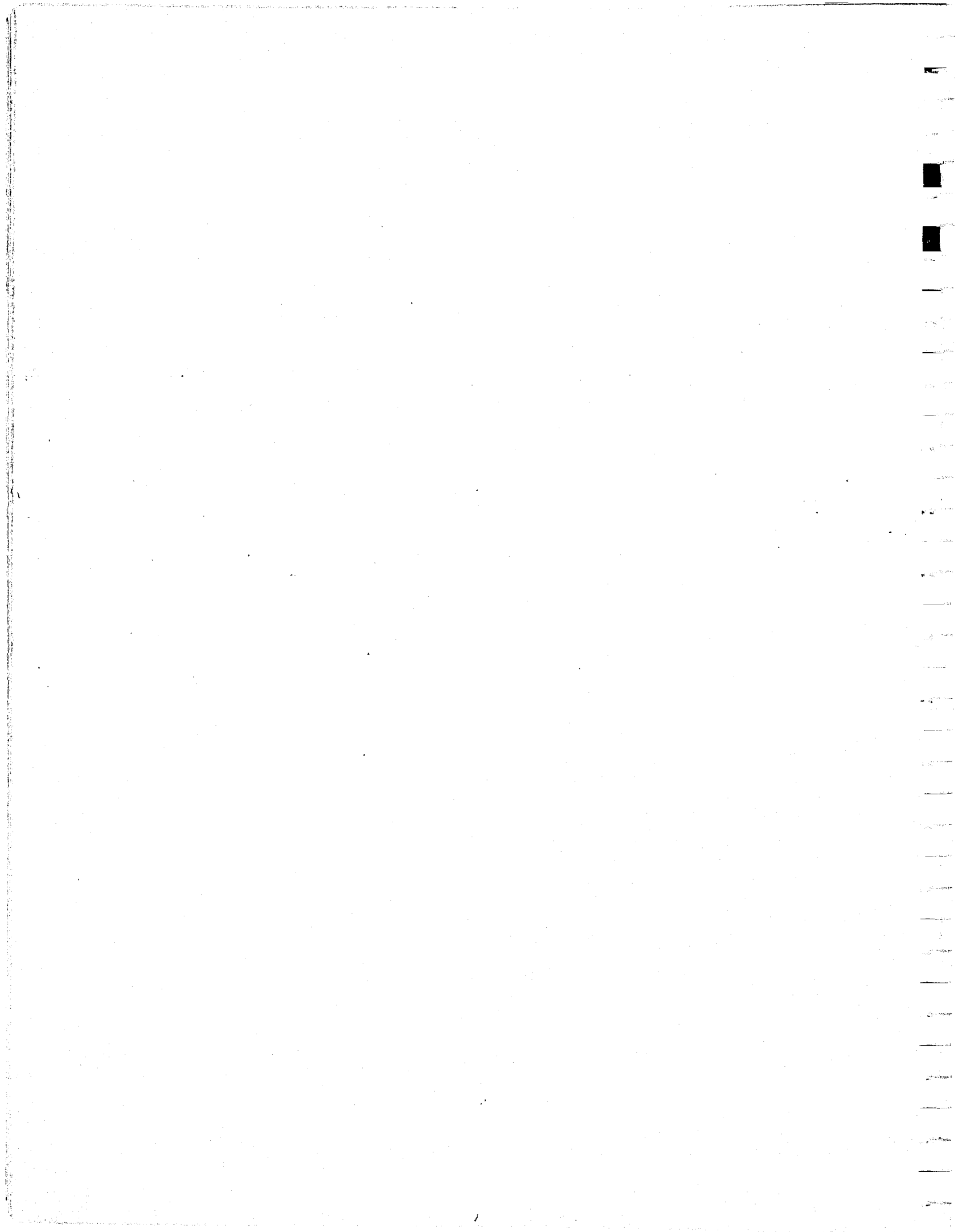
	Pending	Active	Follow-up
Achievement	_____	_____	_____
Aptitude	_____	_____	_____
Intelligence	_____	_____	_____
Personality	_____	_____	_____
GATB	_____	_____	_____
Other (Specify) _____	_____	_____	_____
No of staff involved	_____	_____	_____

2. Educational referral made during this period:

	Pending	Active	Follow-up
No of clients referred	_____	_____	_____
No of staff involved	_____	_____	_____
No of sessions held	_____	_____	_____
No of hours	_____	_____	_____
No of referrals made	_____	_____	_____
No of effective referrals	_____	_____	_____
No who enrolled in an educational facility as a result of the above	_____	_____	_____
No who left an educational facility during this period	_____	_____	_____

D. Vocation

1. Number of staff contacts with vocational training programs \_\_\_\_\_.



2. Vocational placements during this period:

	Pending	Active	Follow-up
No of clients needing service	_____	_____	_____
No of clients provided service	_____	_____	_____
No of sessions held	_____	_____	_____
No of hours	_____	_____	_____
No of staff involved	_____	_____	_____
No of referrals made	_____	_____	_____
No of vocational placements by CORP	_____	_____	_____

3. No of clients left vocational placement during this period.	_____ Sat	_____ Sat	_____ Sat
	_____ Uns	_____ Uns	_____ Uns

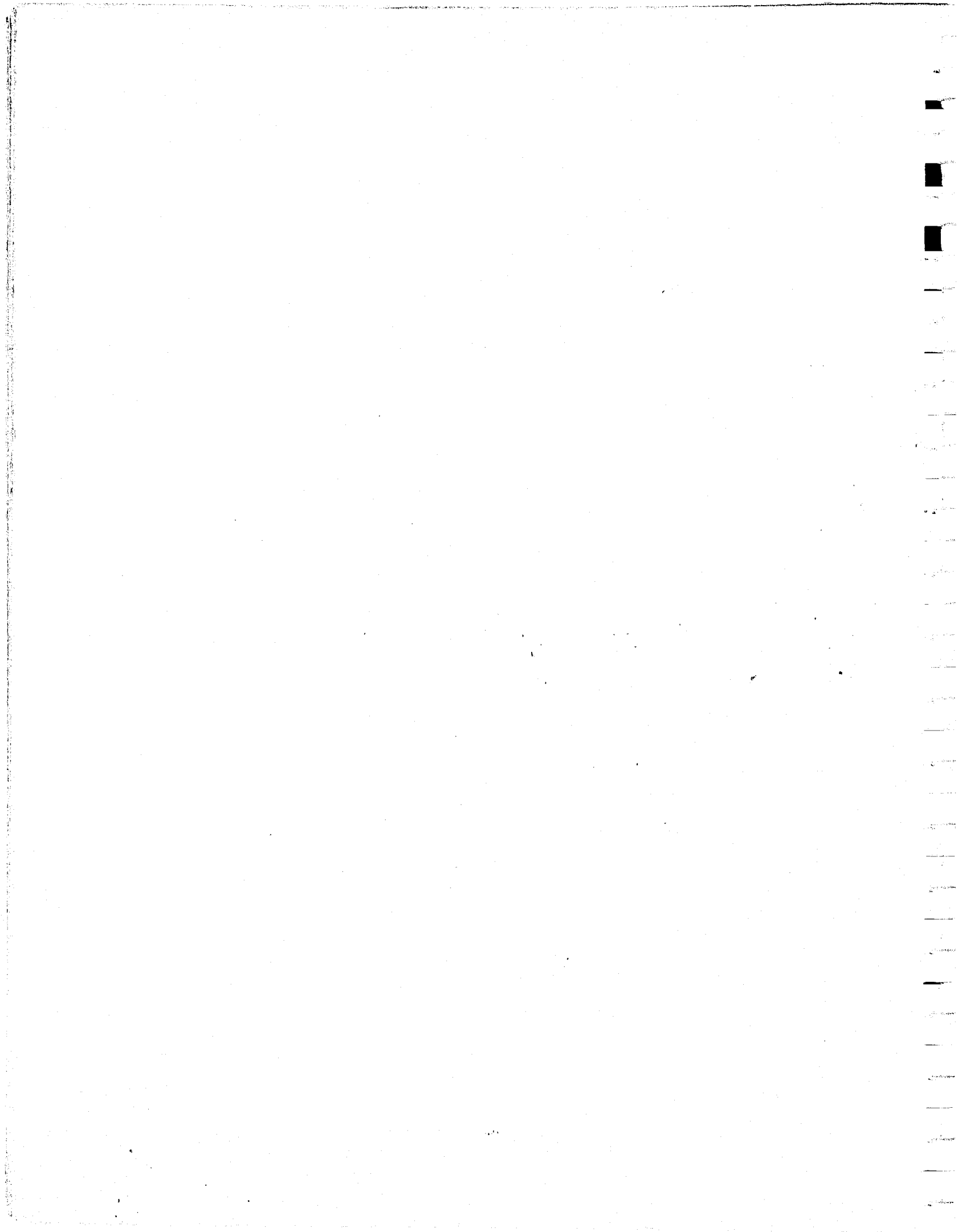
E. Referrals

1. No of clients referred during this period to:

CDAP	_____	_____	_____
CVPEP	_____	_____	_____
SA	_____	_____	_____
Other IMPACT Projects	_____	_____	_____
Community Agency/Project	_____	_____	_____

2. Total no. of clients using the following resources at the end of this period:

	Pending	Active	Follow-up
CDAP	_____	_____	_____
SA	_____	_____	_____
Other IMPACT Projects	_____	_____	_____
Community Agency/Project	_____	_____	_____
CVPEP	_____	_____	_____



F. Fiscal

1. Number of project staff at the end of this period:

Legal \_\_\_\_\_

Service Development \_\_\_\_\_

Counseling \_\_\_\_\_

Administrative \_\_\_\_\_

Fiscal \_\_\_\_\_

Other (specify) \_\_\_\_\_

Total Project Staff \_\_\_\_\_

2. Number of employee hired during this period: \_\_\_\_\_

3. Number of employee resigned during this period: \_\_\_\_\_

4. Project funds expended during this period:

LEAA Funds \_\_\_\_\_

In-Kind Funds \_\_\_\_\_

Total Funds \_\_\_\_\_

5. Participant Funds expended      IMPACT      DOL

No of clients      \_\_\_\_\_      \_\_\_\_\_

TOTAL Dollars      \_\_\_\_\_      \_\_\_\_\_

G. Legal

1. Actual referrals during this period: \_\_\_\_\_

2. Record checks during this period:

                                 Referral      Prog Term      Completion      Close out

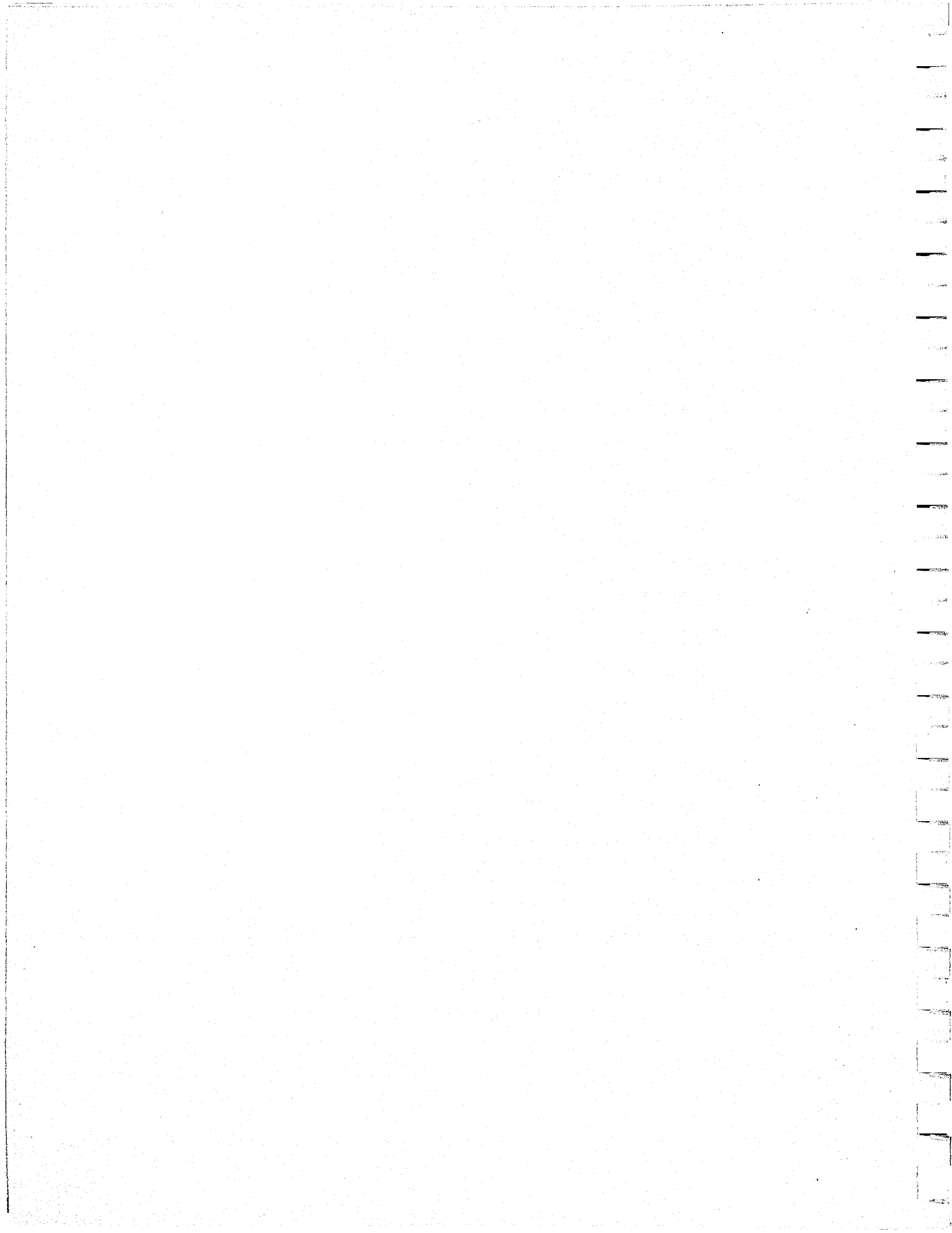
No of checks      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

No of clients      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_



**CONTINUED**

**2 OF 3**



3. Project Recommendation

a. Dismissal Recommendation \_\_\_\_\_

Granted \_\_\_\_\_

Not Granted \_\_\_\_\_

b. No recommendation: \_\_\_\_\_

c. No recommendation for the following reasons:

Absconded/unable to locate \_\_\_\_\_

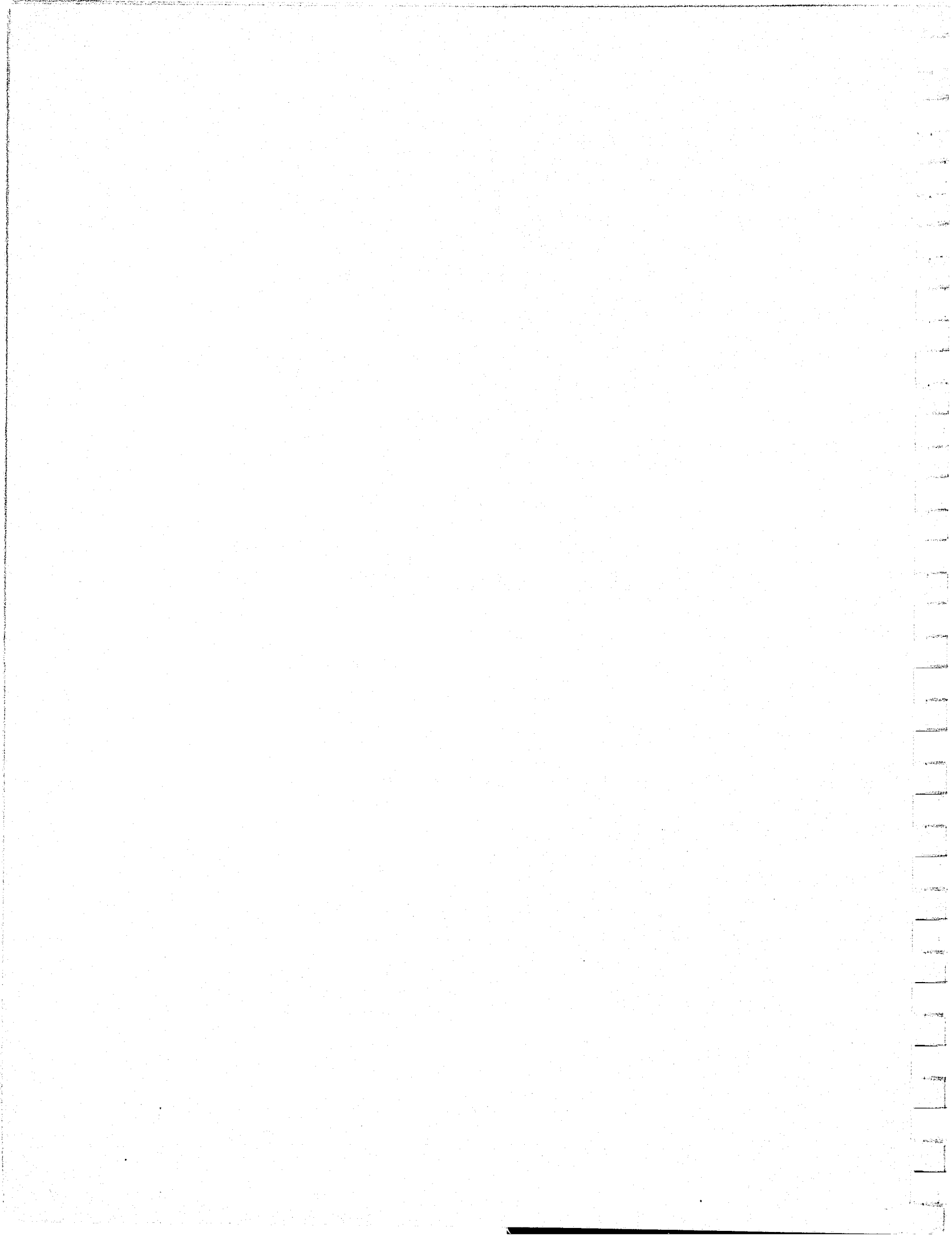
Re-arrest \_\_\_\_\_

Institutionalized \_\_\_\_\_

Lack of Cooperation \_\_\_\_\_

Other (Specify)  
\_\_\_\_\_  
\_\_\_\_\_

d. Number of legal staff involved during this period: \_\_\_\_\_



Legal Data

A. Enrolled

1. Referral Arrest charge on clients enrolled during this period

Active

IMPACT Crime

Other Felony

Other Misdemeanor

2. Prior Change on clients enrolled during this period.

Active

IMPACT Crime

Other Felony

Other Misdemeanor

3. No. of prior convictions on clients enrolled during this period

Active

One

Multiple

4. Dispositions of prior charge on clients enrolled during this period

Active

Conviction

Dismissal et al

Other (specify)

B. Program Termination

1. Program arrest charge on clients terminated during this period.

Active

IMPACT Crime

Other Felony

Other Misdemeanor

2. No. of program convictions on clients terminated during this period.

Active

One

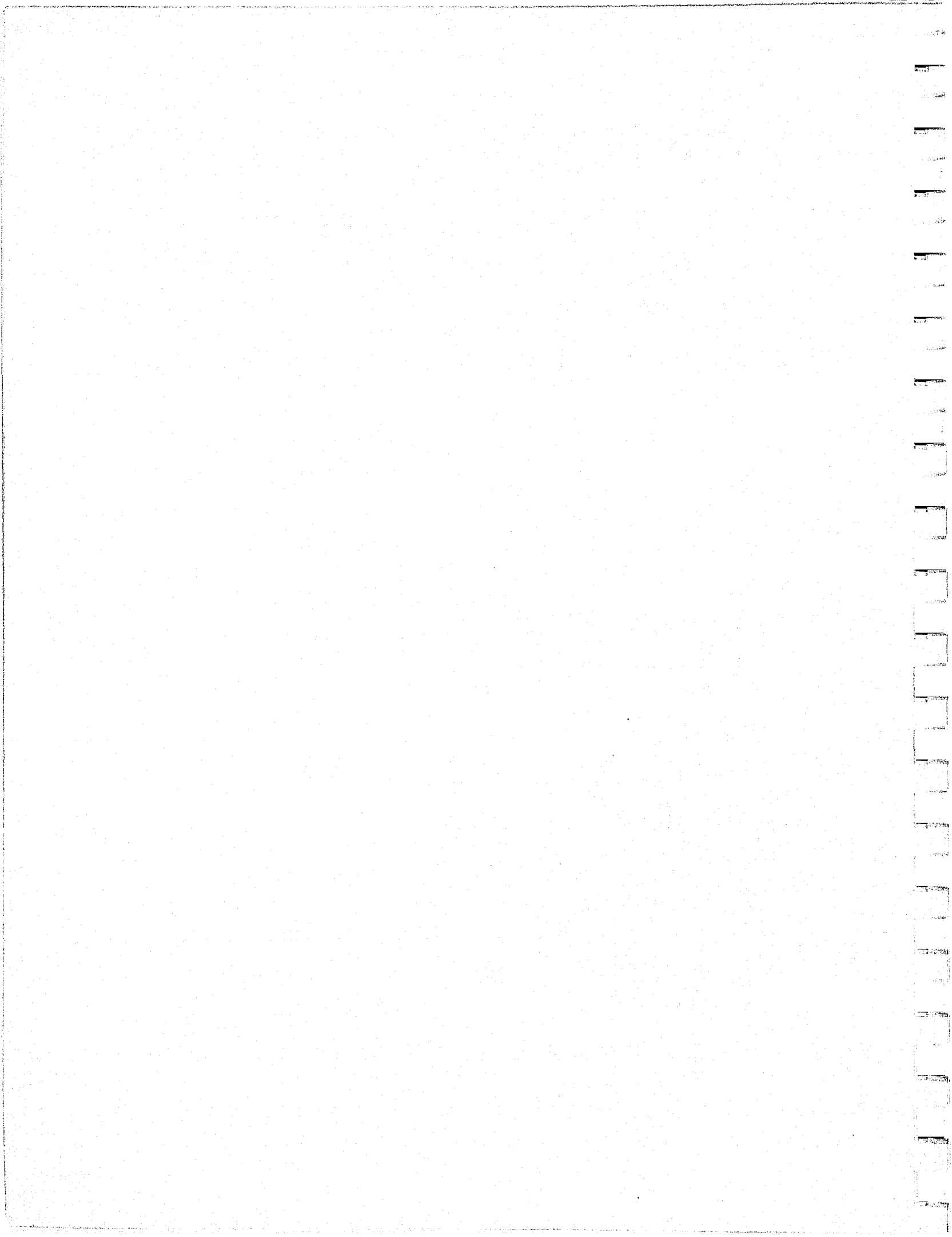
Multiple

3. Disposition of program arrest on clients terminated during this period.

Conviction

Dismissal et al

Other (specify)



C. Completion

1. Dispositions of referral  
charge on clients completed  
during this period.

Conviction \_\_\_\_\_

Dismissal et al \_\_\_\_\_

Other (specific) \_\_\_\_\_  
\_\_\_\_\_

2. Program arrest charge on clients  
completed during this period.

IMPACT Crime \_\_\_\_\_

Other Felony \_\_\_\_\_

Other Misdemeanor \_\_\_\_\_

3. No. of program convictions on  
clients completed during this  
period.

One \_\_\_\_\_

Multiple \_\_\_\_\_

4. Dispositon of program arrest on  
clients completed during this period.

Conviction \_\_\_\_\_

Dismissal et al \_\_\_\_\_

Other (specify) \_\_\_\_\_  
\_\_\_\_\_

D. Close-out

1. Post-program arrest charge on  
clients closed out during this  
period.

IMPACT Crime \_\_\_\_\_

Other Felony \_\_\_\_\_

Other Misdemeanor \_\_\_\_\_

2. No. of post-program convictions on  
clients closed out during this period.

One \_\_\_\_\_

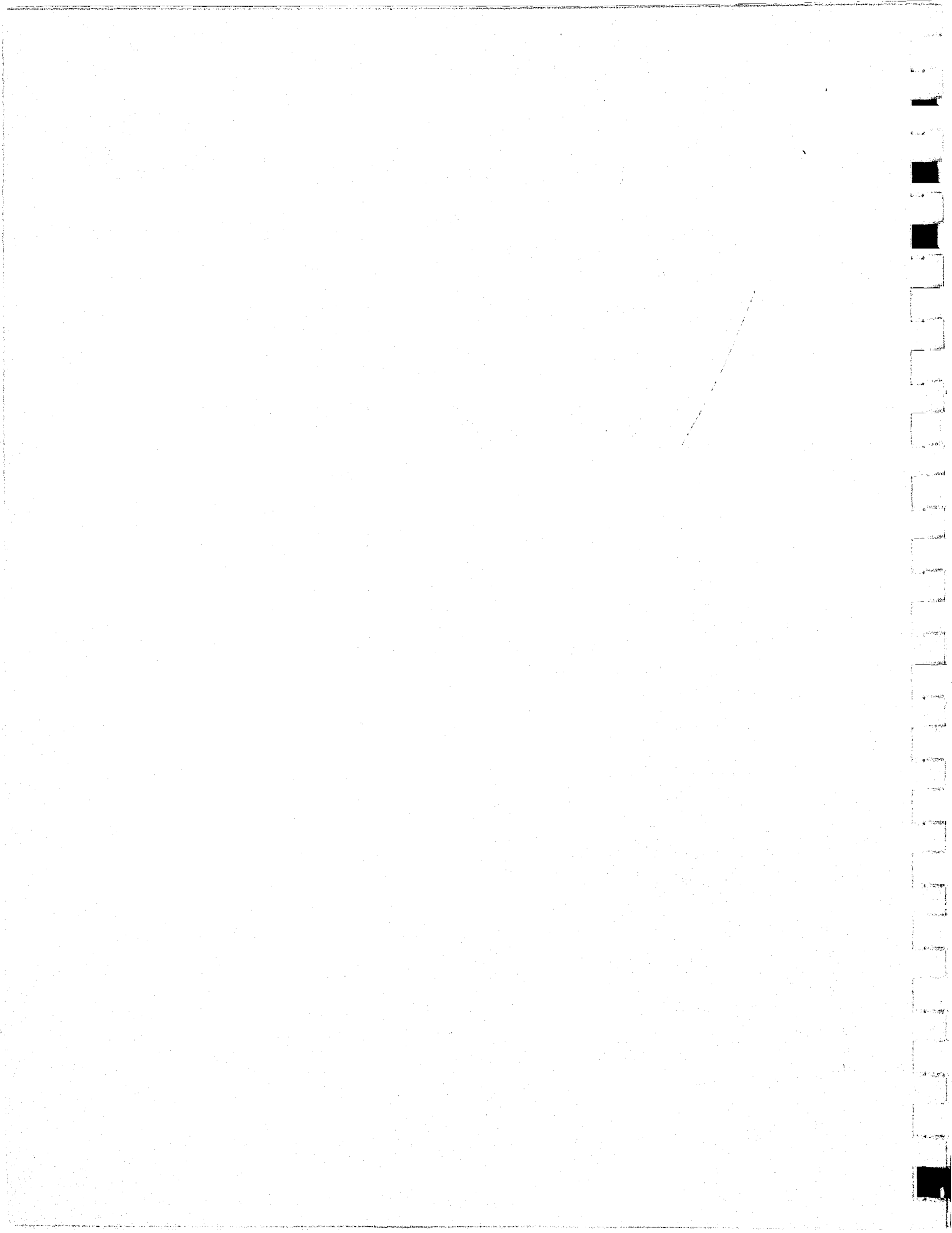
Multiple \_\_\_\_\_

3. Disposition of post-program  
arrest on clients closed out  
during this period.

Conviction \_\_\_\_\_

Dismissal et al \_\_\_\_\_

Other (Specific) \_\_\_\_\_  
\_\_\_\_\_





Legal Status at time of arrest of additional clients during this period

	<u>Initial New/Returned</u>	<u>Active New/Returned</u>
a. No prior convictions	/	/
b. Prior Convictions, no legal sanctions	/	/
c. Probation/Parole	/	/
d. Charges pending	/	/
c. and d.	/	/
Other (specify)	/	/

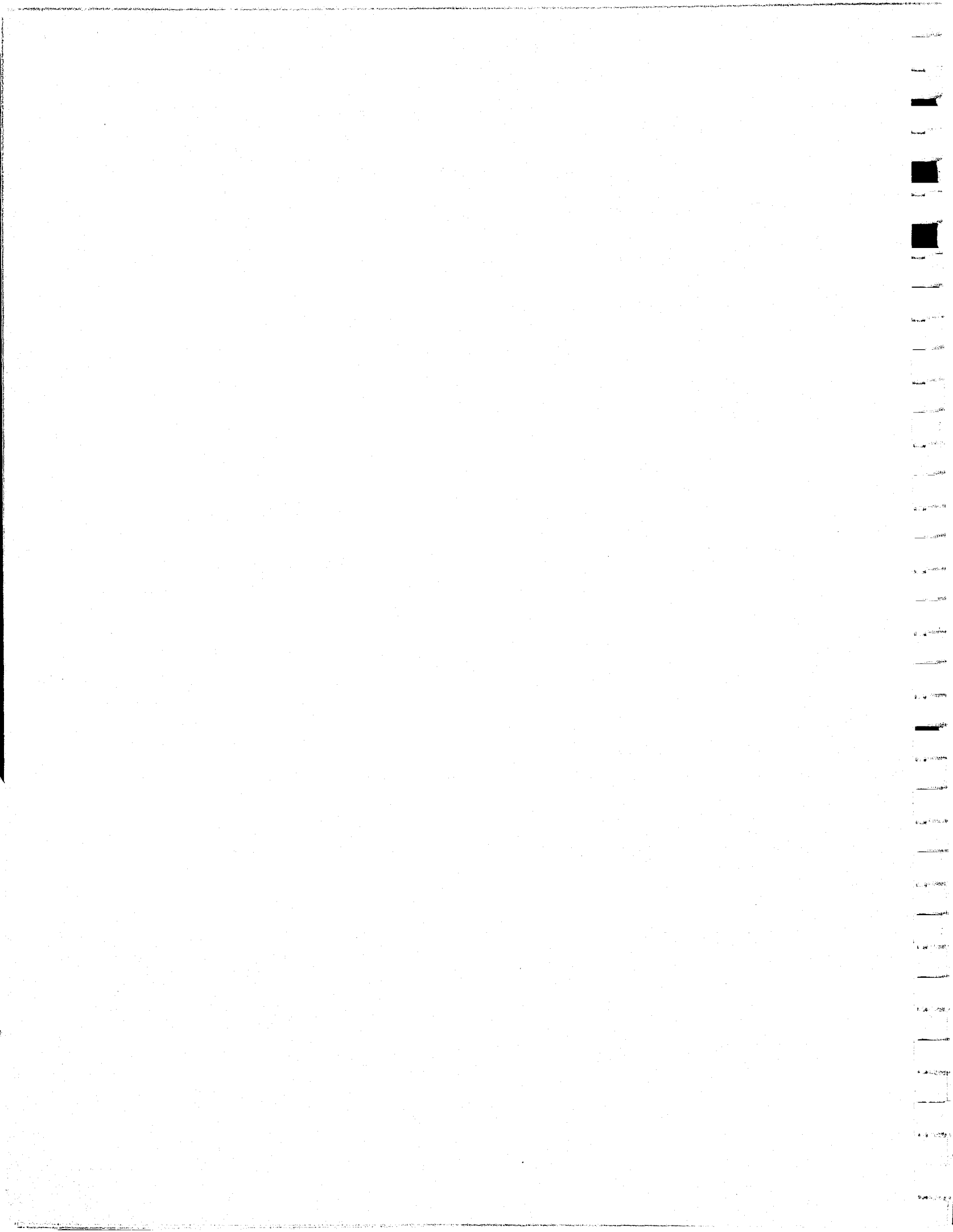
Court dispositions of original arrests of clients during this period:

Original Plea	Dismissed	Disposition		Other
		Acquittal	Continued w/o finding	
Guilty	_____	_____	_____	_____
Not Guilty	_____	_____	_____	_____
Nolo	_____	_____	_____	_____
No Plea	_____	_____	_____	_____
Other (specify)	_____	_____	_____	_____

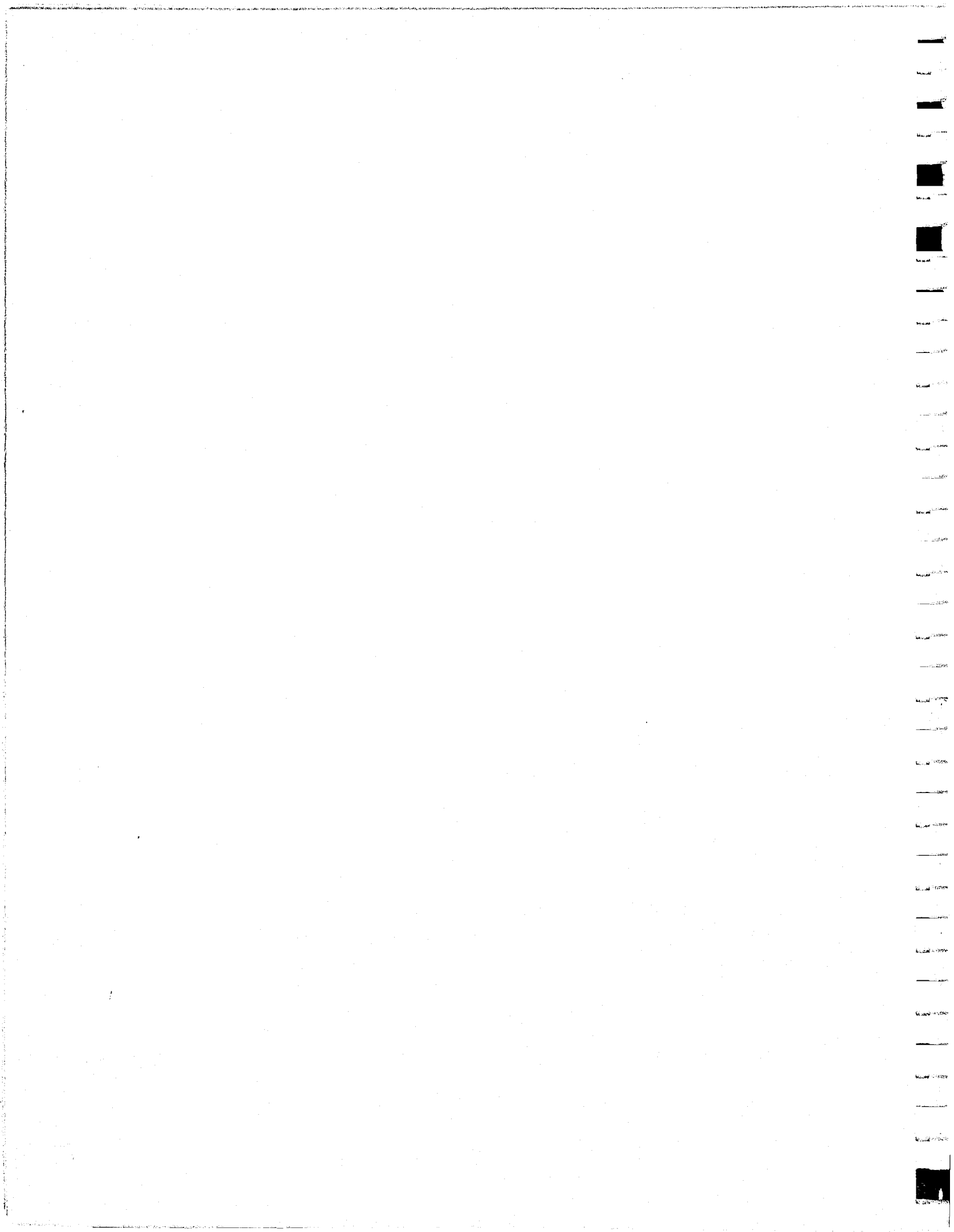
Specify any other court disposition \_\_\_\_\_

Court Dispositons of rearrests of clients during this period

Original Plea	Dismissed	Disposition		Other
		Acquittal	Continued w/o finding	
Guilty	_____	_____	_____	_____
Not Guiley	_____	_____	_____	_____
Nolo	_____	_____	_____	_____
No Plea	_____	_____	_____	_____
Other (specify)	_____	_____	_____	_____



APPENDIX C  
SOFTWARE SPECIFICATION  
ADJUDICATION OPERATING PROGRAM



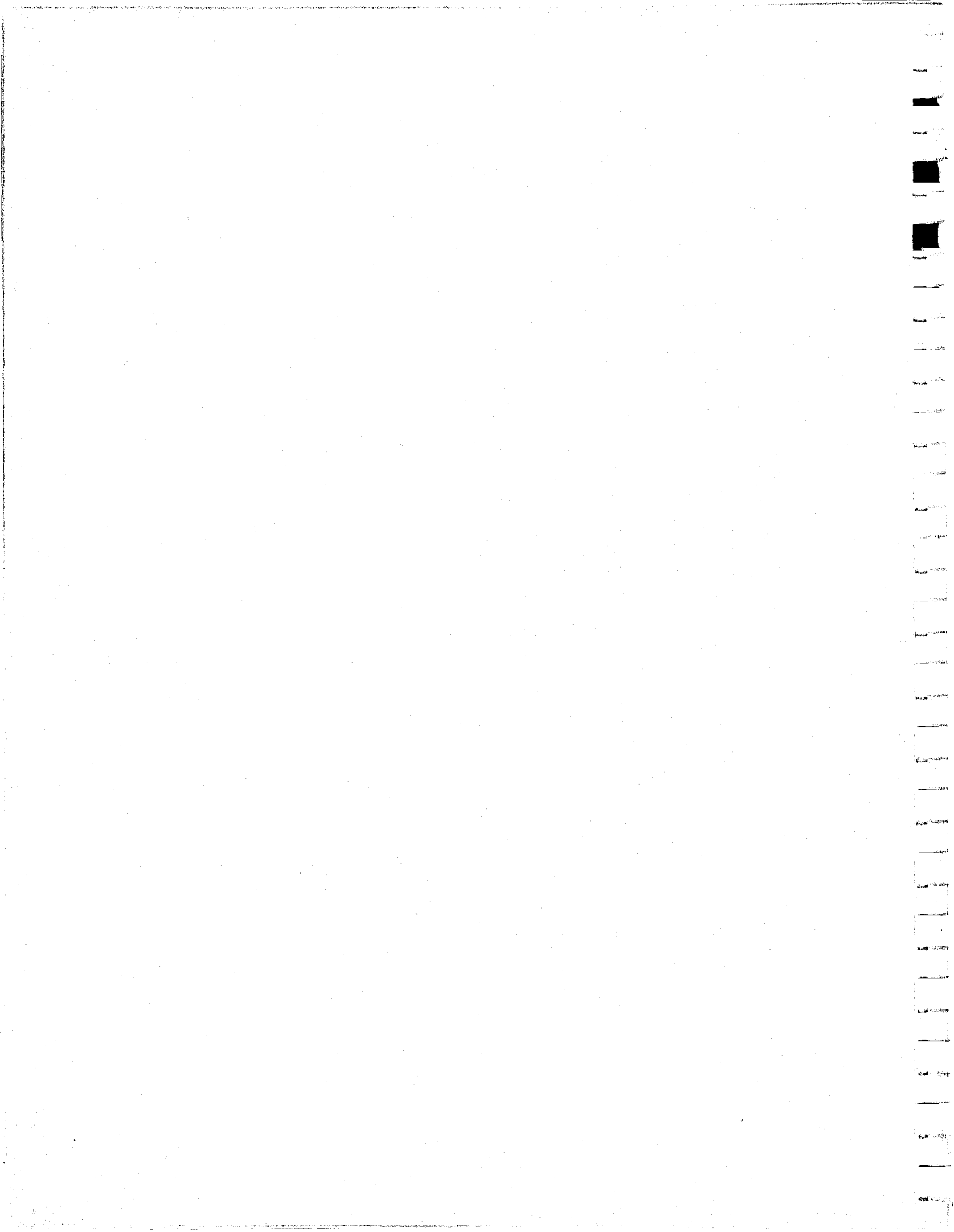
APPENDIX C  
SOFTWARE SPECIFICATION  
FOR  
ADJUDICATION OPERATING PROGRAM

This Appendix presents two memoranda which describe computer program requirements to produce analyses for the preparation of this evaluation report. These program requirements, known generically as software specifications, must outline the data sources and present the output report parameters. The programming effort was performed during the months of December 1973, through March, 1974, using the facilities of the City of Cleveland Data Processing Center. The data sources are described in Paragraph 2.1, Evaluation Overview, of this report. Source data errors complicated the data processing effort and required many additional analytical and programming steps to attempt to compensate for absent or erroneous data.

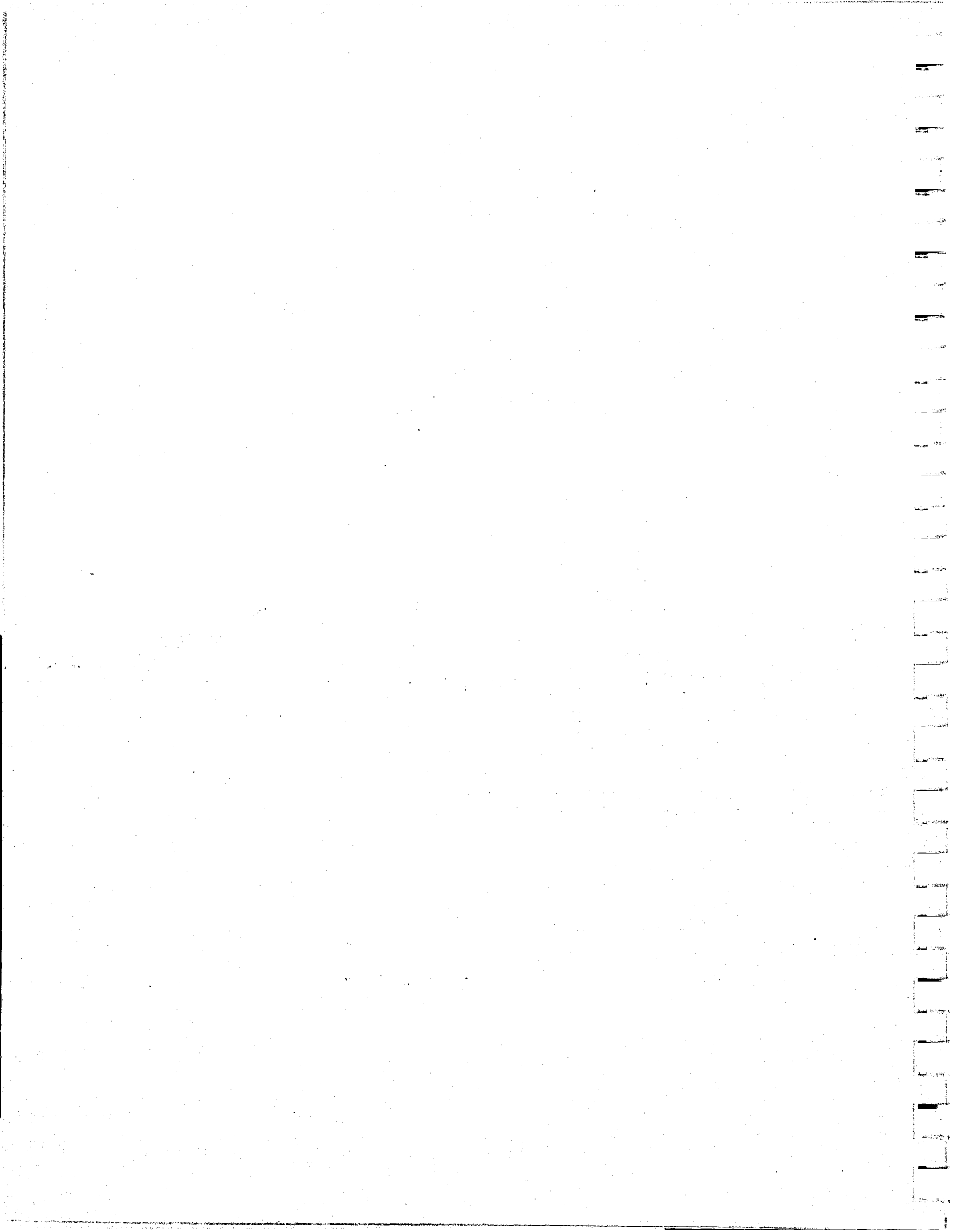
The two memoranda describe the evaluators' perception of the data or displays needed for project evaluation.\* The first memorandum, prepared on December 27, 1973, dealt principally with the data sources. The second memorandum, dated January 18, 1974,

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\*The evaluators consisted of IMPACT Planning and Evaluation Staff and Consultants. Their role included translating the requirements presented in the EVALUATION COMPONENT into output report requirements, with the knowledge of which data were available and which were reliable.



concentrated on the outputs and displays. The specification was intended to be flexible, consistent with the availability of data; many minor modifications in the formal specification were communicated orally between the evaluators and the programmers on the staff of the City Data Processing Center. These modifications will be reflected in the completed software documentation. The two memoranda are presented below in their entirety in chronological order.





JRB TECHNICAL MEMORANDUM

TO: J. Caldwell                      D. Gantzer                      B. Plapinger  
    W. Dufur                         J. Murray                      W. Town  
    K. Gaal                            L. Nathans                      J. Walsh

FROM: M. Bloom  
DATE: 27 December 1973

SUBJ: Preliminary software specification for the Adjudication Operating Program, Pre-Trial and Post-Adjudication Delay Project evaluation

This memorandum describes the data tabulations and displays required for the evaluation of the Adjudication Operating Program. This description provides the basis for developing specifications for the software necessary to prepare the evaluation reports. In order to utilize the reports in the preparation of the Cleveland IMPACT Cities Program Master Plan Revision, performance data through December 31, 1973 will form the basis of the evaluations.

The Adjudication Operating Program consists of projects in the following groups:

(A) Pre-Trial and Post-Adjudication Delay Reduction Project

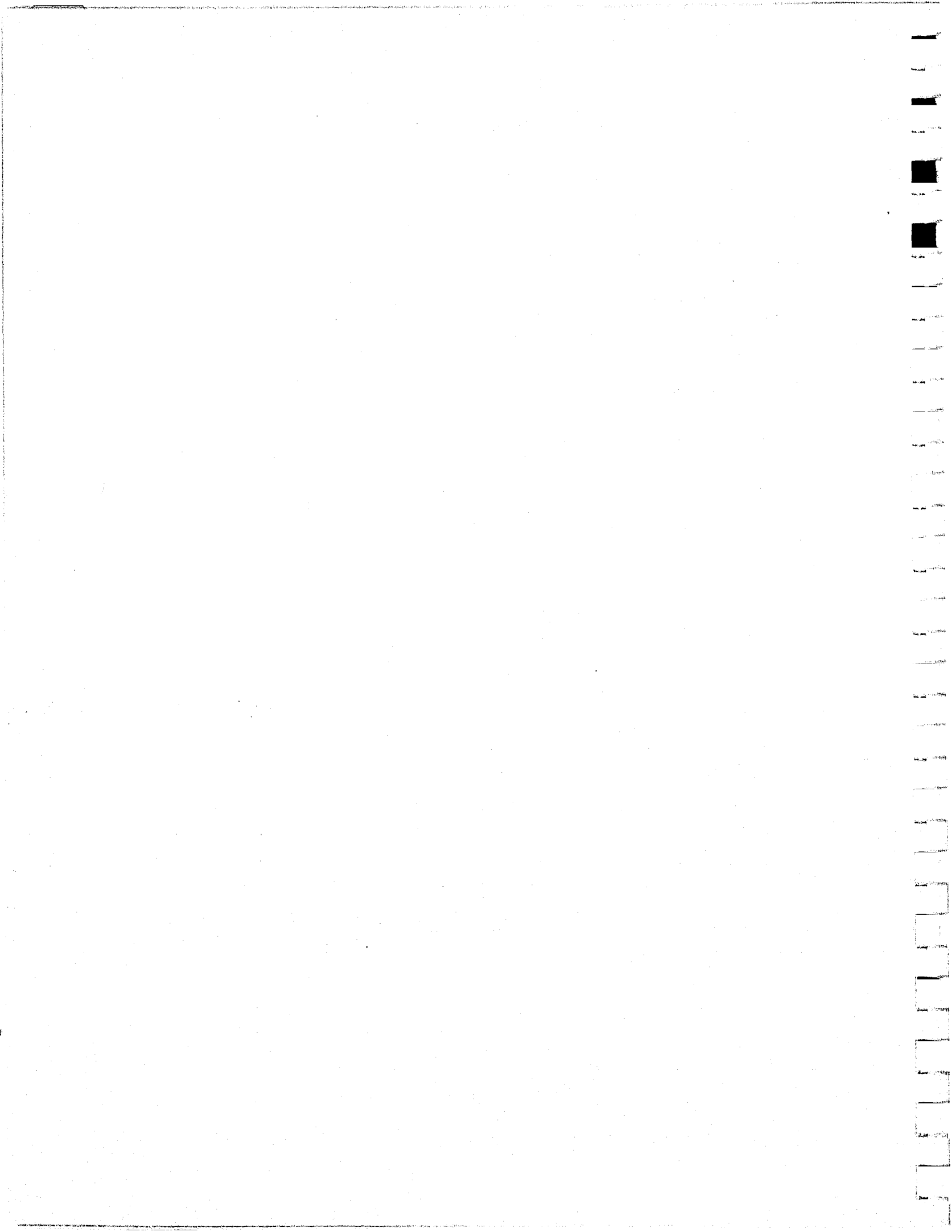
(1) Activity 1 -- Pre-Trial Delay Reduction

(a) Component 1 -- Visiting Judges

Provides funds in the Common Pleas Court, General Division, for six visiting judges and associated support personnel for the trial of criminal cases on a double-shift courtroom basis

(b) Component 2 -- County Prosecutor's Office

Provides funds to the County Prosecutor's Office for nine Assistant County Prosecutors and associated support personnel for the trial of cases before the visiting judges



(c) Component 3 -- Counsel for Indigents

Provides funds to the Legal Aid Society of Cleveland for eight attorneys and associated support personnel and facilities for the representation of indigent defendants in Cleveland Municipal and Cuyahoga County Common Pleas Courts

(2) Activity 2 -- Post-Adjudication Delay Reduction

(a) Component 1 -- Pre-Sentence Investigation

Provides funds to the County Probation Department for five full-time and four part-time probation officers and associated support personnel for the preparation of pre-sentence investigation reports in the Common Pleas Court

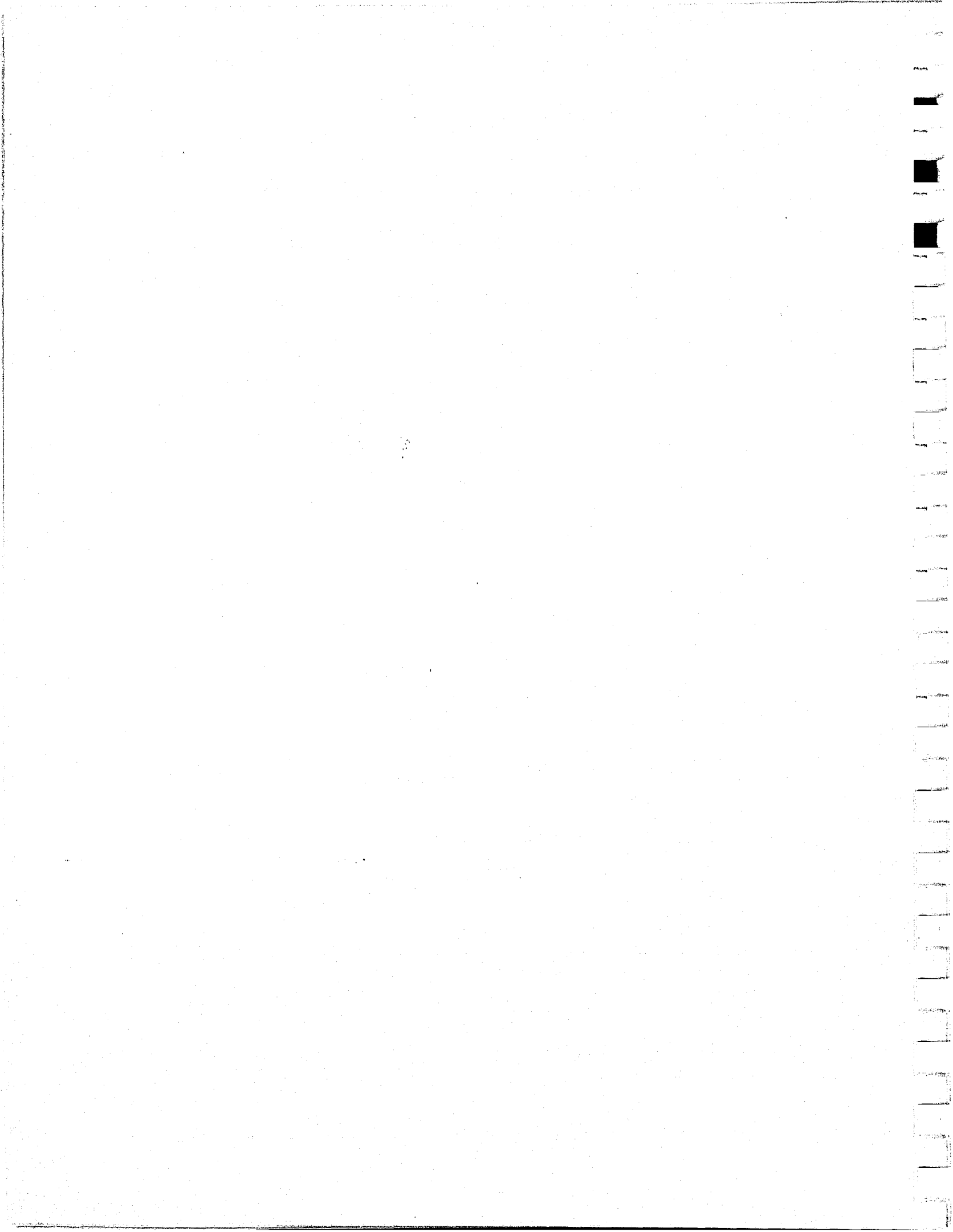
(b) Component 2 -- Diagnostic Treatment Center

Provides additional funds to the Psychiatric Clinic serving the Common Pleas and Cleveland Municipal Courts for one full-time and two part-time psychiatrists and psychologists to develop defendant need-assessment profiles and supplement the pre-sentence case history investigations of the County Probation Department

(B) Cleveland Offender Rehabilitation Project (CORP)

Provides additional funds to the City of Cleveland, Department of Human Resources and Economic Development, Cleveland Offender Rehabilitation Project, to continue the diversion and referral of IMPACT arrestees from the Cleveland Municipal and County Juvenile Courts

Data are required from these projects' activities in order to perform the performance evaluations. The sources of these data include: the records of the Common Pleas Court Judicial Information System (JIS), the Court's manual records, and the Legal Aid Society for the activities described in (A), above; and evaluation data forms developed by ABT Associates, Inc. for the CORP activities. Data tabulations for the latter activities will be prepared by keypunching the data from the CORP forms, and using these data as input with analytical software. Since the data collection and software specification efforts for the CORP data are relatively straightforward, they will not be



treated here. The data from the Common Pleas Court and Legal Aid Society will be more complex, and will require use of JIS data in addition to a certain amount of raw data collection. These latter efforts are discussed in the remainder of this memorandum.

Evaluation of the Adjudication Operating Program Pre-Trial and Post-Adjudication Delay Projects will be based upon eleven data tabulations. These tabulations are:

- (a) A profile of defendant characteristics, by each charge type;\*
- (b) The Common Pleas Court criminal case backlog by month and charge type, through December 31, 1973;
- (c) Least, average, maximum, and total elapsed calendar days, by month and charge type,
  - (1) From arraignment until case disposition, for convicted and for released defendants,
  - (2) From defendant release on bail until case disposition, for convicted and for released defendants,
  - (3) For defendant days in County Jail awaiting trial until case disposition, for convicted and for released defendants, and
  - (4) From case disposition until completion of the pre-sentence investigation report; and
- (d) Total hours devoted to each case, by month and charge type, for
  - (1) Common Pleas and Visiting Judges,
  - (2) County Prosecutors,
  - (3) Legal Aid Society Defense Counsellors,
  - (4) County Probation Officers, and
  - (5) County Diagnostic Treatment Unit psychiatrists and psychologists.

These tabulations will be prepared using computerized input data from the

\* "Charge" and "charge type" are used to distinguish between categories of offense and arrest activities, by "crime type," and the formal charge filed by the Municipal or County Prosecutor, by "charge type."



Bloom-Distribution  
27 Dec 73  
Page 4

IMPACT Master-File, and manually-recorded input data from the Common Pleas Court Central Scheduling Office, the County Prosecutor's Office, the County Probation Department, and the Legal Aid Society. Common Pleas Court data which are maintained manually will be verified by accessing the JIS on-line data base.

Computer programs will be used to reduce these data and to produce printed output reports and tabulations. Tables 1 and 2, "Criminal Case Backlog" and "Judicial, Prosecutorial, and Defender Staffing," respectively, are examples of two output reports.

It is expected that the baseline data from January, 1970, through April, 1973, will not be complete for all of the data elements requested. One of the design characteristics of the JIS is that the system does not retain the "start" and "end" dates/times for all processes. Rather, certain major Court action points -- such as the Grand Jury True Bill date, the arraignment date, and the date the complaint was filed in Common Pleas Court -- are logged and never erased, while the case status records are always updated with the latest information. The JIS can store a total of three such events: the "last stage," the "current status," and the "next stage" in processing of a given defendant's case. Thus, the JIS cannot provide elapsed-days indications of the time a defendant has been in jail or on bail/capias, nor can the system provide data regarding the number, character, date, and outcome of hearings occurring between arraignment and trial. Personnel affiliated with the JIS and the County Data Center have indicated that system modifications are being considered to permit maintenance of these intermediate processing activity descriptive data. Until such modifications

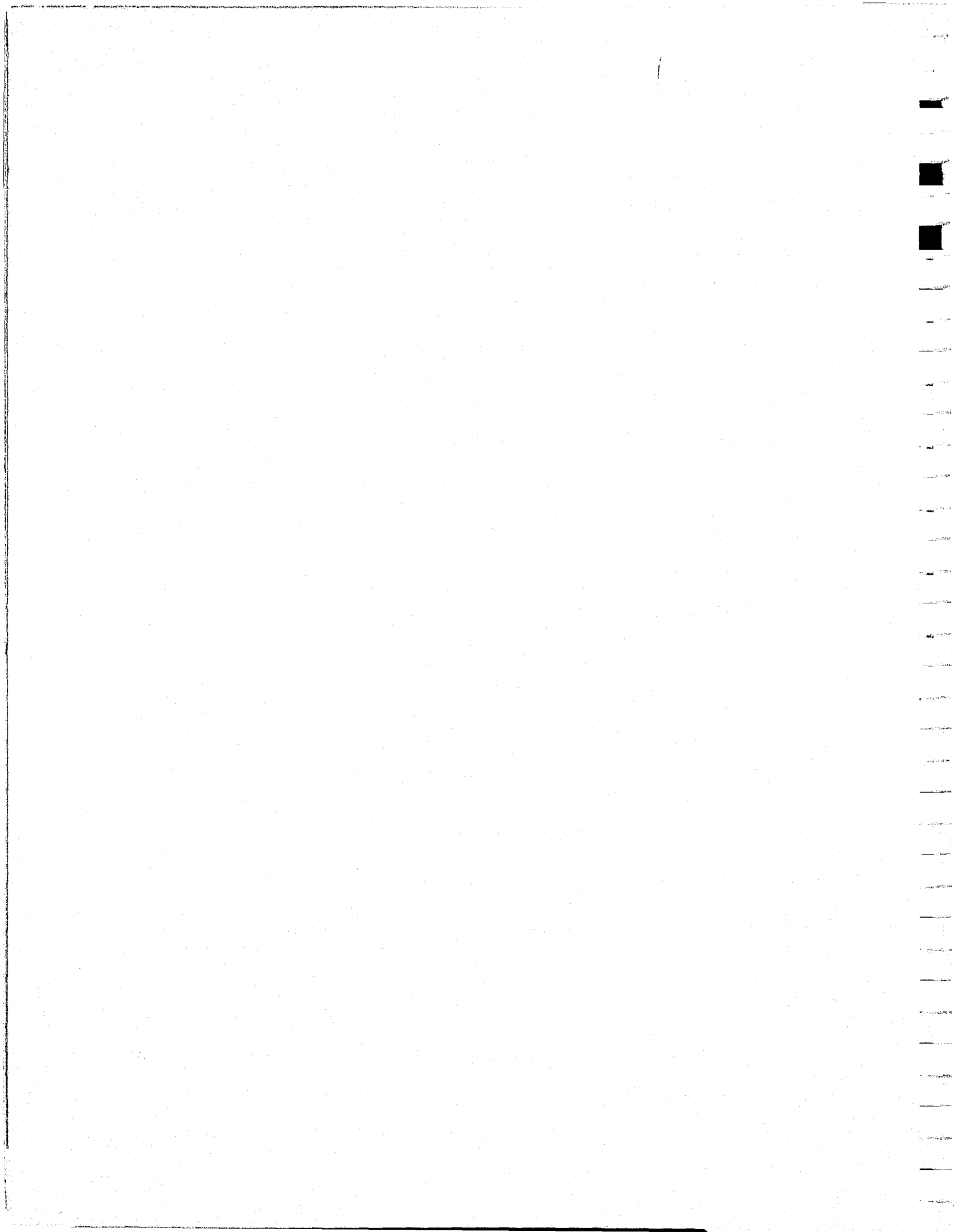




TABLE 1

COURT OF COMMON PLEAS  
 GENERAL DIVISION  
 1973 CRIMINAL CASE BACKLOG

For the month beginning:	number of cases				Backlog as of This Date
	Arraigned Previous Month All Judges	Visiting Judges Only	Disposed-of Previous Month All Judges	Visiting Judges Only	
January 1, 1970					
February 1, 1970					
March 1, 1970					
•					
•					
•					
•					
December 1, 1970					
January 1, 1971					
•					
•					
•					
•					
•					
•					
December 1, 1971					
January 1, 1972					
•					
•					
•					
•					
•					
January 1, 1974					

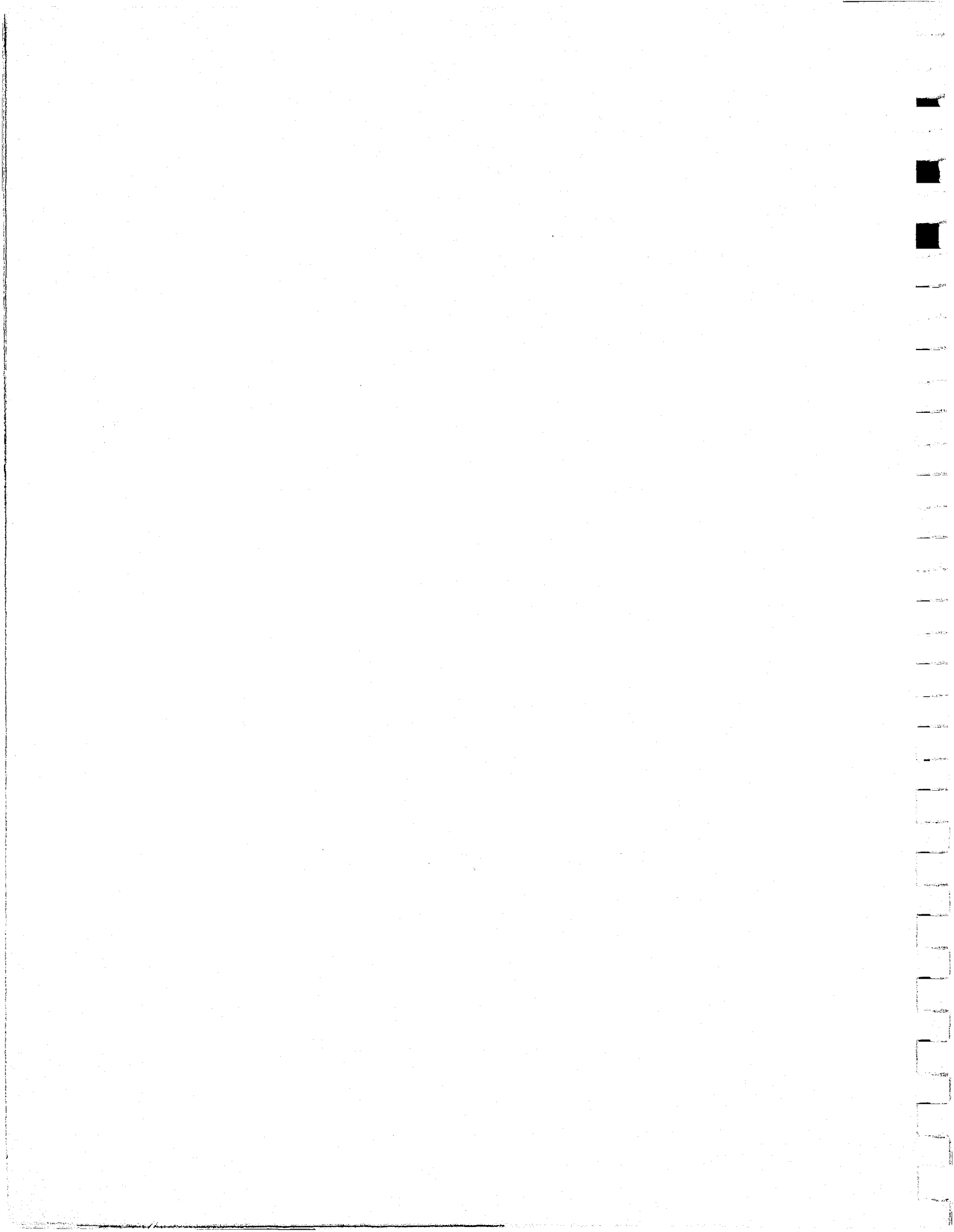


TABLE 2

JUDICIAL, PROSECUTORIAL, AND DEFENDER STAFFING

1970 1971 1972 1973  
 J F M A M J J A S O N D J F M A M J J A S O N D J F M ● ● ● A S O N D

Calendar Days

Judicial Days

COMMON PLEAS

Judges sitting

Judge-days

Cases heard

Visiting Judges

Judges sitting

Judge-days

Cases heard

COUNTY PROSECUTORS

Total, including IMPACT-funded

Total assigned to criminal caseload

Total criminal Prosecutor-hours

Total caseload

IMPACT-Funded Only

Total assigned

Total Prosecutor-hours

Total caseload

LEGAL AID SOCIETY DEFENDERS

Total, including IMPACT-funded

Total assigned to criminal caseload, Municipal

Total assigned to criminal caseload, Common Pleas

Total criminal Defender-hours, Municipal

Total criminal Defender-hours, Common Pleas

Total caseload

IMPACT-Funded Only

Total assigned, Municipal

Total assigned, Common Pleas

Total Defender-hours, Municipal

Total Defender-hours, Common Pleas

Total caseload

COUNTY PROBATION OFFICERS

Total, including IMPACT-funded

Total assigned to Common Pleas PSIs

Total Probation Officer-hours on PSIs

Number of PSIs completed

IMPACT-Funded Only

Total assigned to PSIs

Total Probation Officer-hours on PSIs

Number of PSIs completed

DIAGNOSTIC TREATMENT UNIT

Total professional personnel, including IMPACT-funded

Total assigned to PSIs

Total man-hours on PSIs

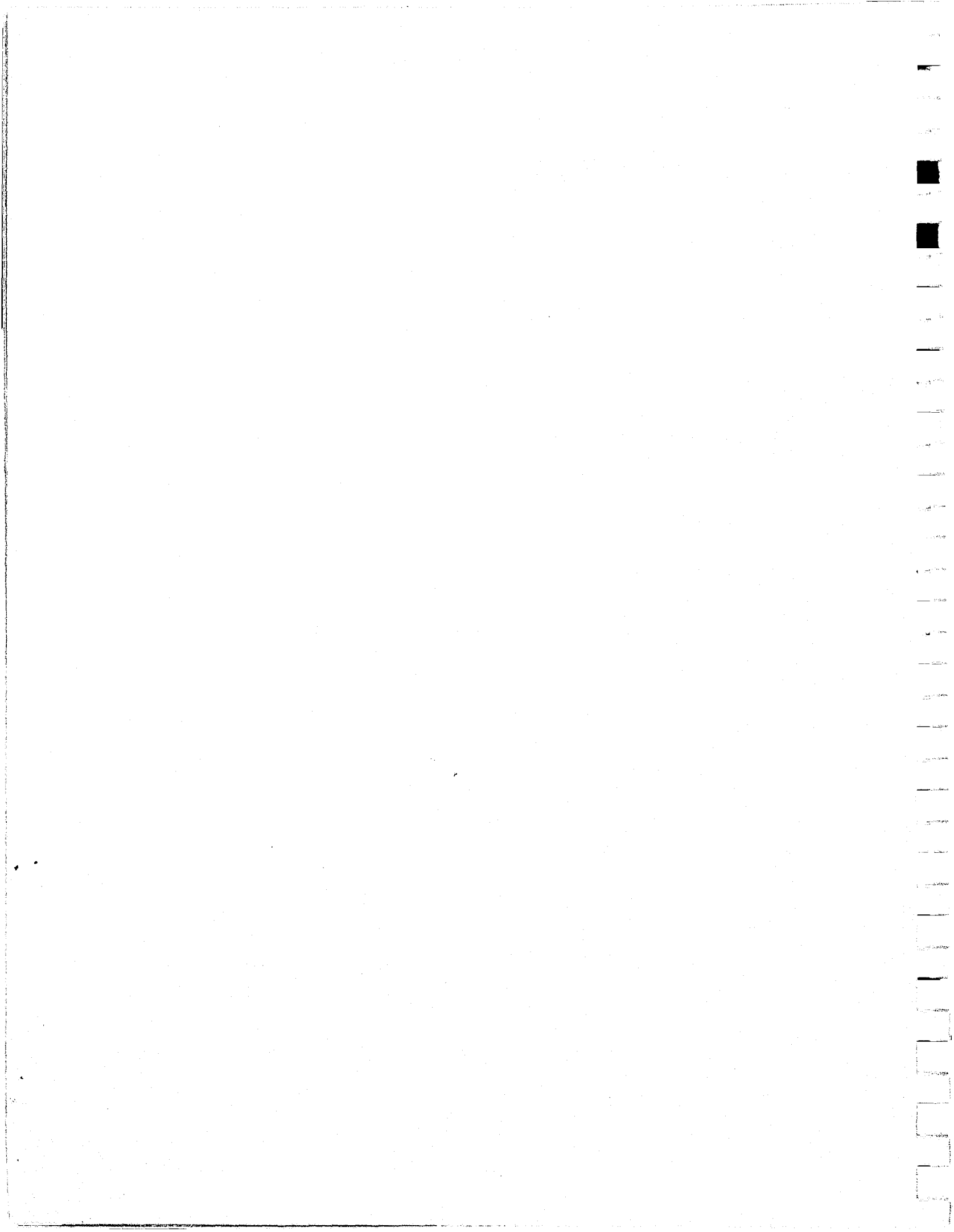
Number of PSIs completed

IMPACT-Funded Only

Total professional personnel assigned to PSIs

Total man-hours on PSIs

Number of PSIs completed



are made, these data might only be available from "judges' books" and/or the manually-maintained case file folders. Data collection from either of these sources would be a complex and time-consuming task.

As a surrogate for certain of these baseline data, other data may be examined from published reports.\* For example, The Institute for Court Management's 1971 report provides baseline indicators of time delays between the following processing points:

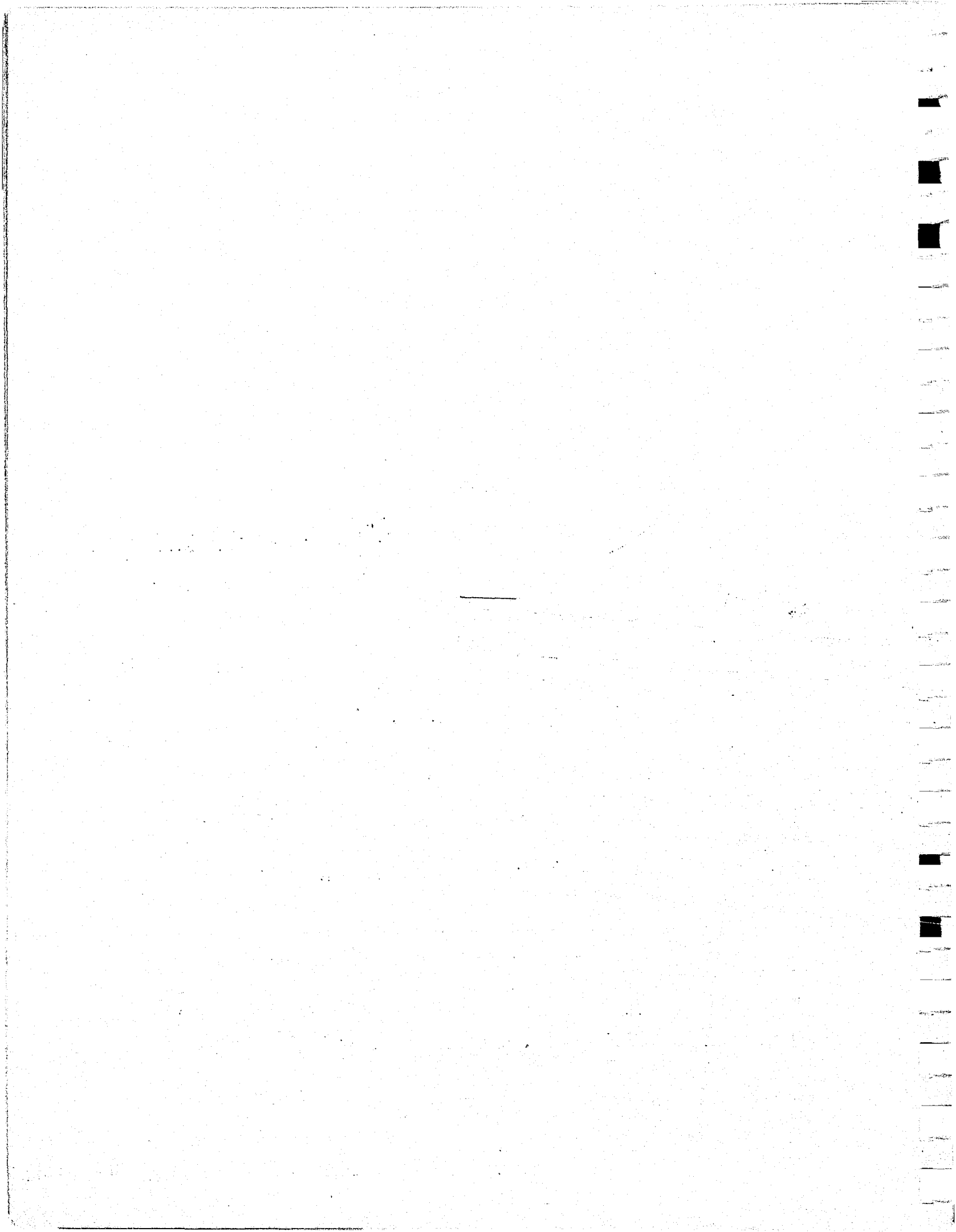
- Arrest and Municipal Court Charge,
- Municipal Court Charge and First Judicial (Municipal Court) Appearance,
- First Judicial Appearance and Further Judicial Appearance,
- Further Judicial Appearance and Grand Jury or Docketing,
- Grand Jury or Docketing and Arraignment, and
- Arraignment and Plea Entry or Trial.

While these indicators are not the ideal baseline for evaluation of the Pre-Trial and Post-Adjudication Delay project activities, they do provide a rudimentary measure for pre-IMPACT processing times. Lacking system processing data for 1971 and 1972, computation of changes before and after the implementation of the JIS and the subsequent individual docket system would be difficult, at best.

In addition to these tabulations of "system performance" data, the analytical software will need to compile/prepare distributions of defendant

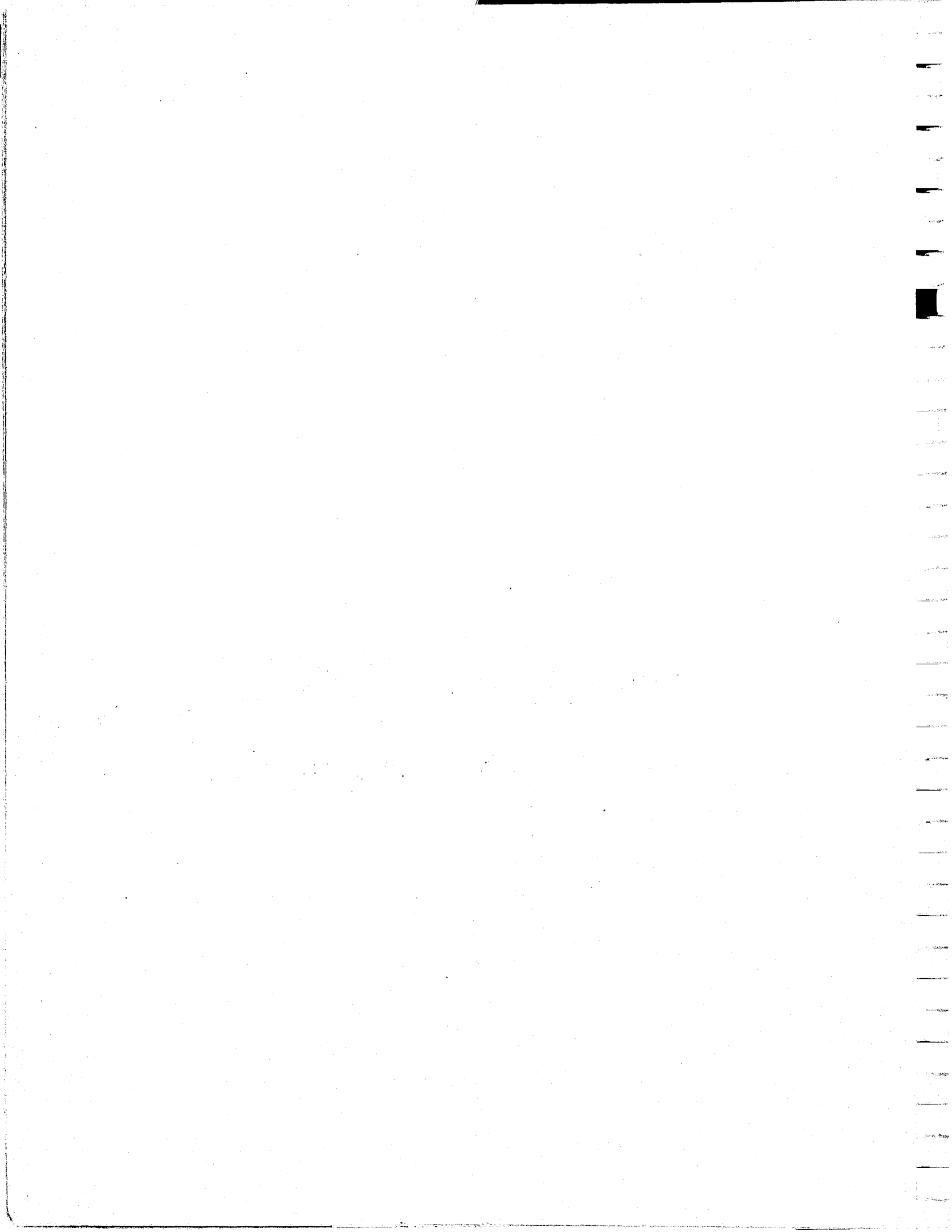
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\* Two reports are of particular interest in this regard: THE FELONY PROCESSING SYSTEM, CUYAHOGA COUNTY, OHIO, The Institute for Court Management, June, 1971, which utilizes 1970 and 1971 data; and REFERENCE MANUAL -- A COMPILATION OF DATA-GATHERING IN THE TRIAL COURTS OF CUYAHOGA COUNTY, OHIO, Court Management Project, Cleveland Bar Association, January, 1971, which presents a longitudinal sample drawn from 1970 Cleveland Police and Court data.



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27 Dec 73  
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characteristics, charge type, arresting police department, etc. These distributions will assist in definition of the "typical" IMPACT project client and the "typical" Common Pleas Court defendant.





JRB TECHNICAL MEMORANDUM

TO: J. Caldwell           XC: J. Bowman  
D. Gantzer               S. Derbin  
W. Town                  L. Onesky  
                          B. Plapinger

FROM: M. Bloom

DATE: 18 January 1974

SUBJ: Data processing requirements for Adjudication evaluation

A number of examples of data displays are attached to this memorandum. These examples have been prepared to indicate the type and detail of data desired for evaluation of the Adjudication Program and for input to the IMPACT Master Plan Revision.

Tables 1 and 2 request defendant characteristics by crime type for 1970, 1971, 1972, and 1973. These data will be used principally for Section II of the Master Plan Revision. The data should indicate the number of cases in each category of the matrix, and the percent that figure represents of the category total. For example, if 100 of the 500 felony defendants were males, then the "PCT." figure would be "20" (all percentages should be rounded off to the nearest whole percentage point).

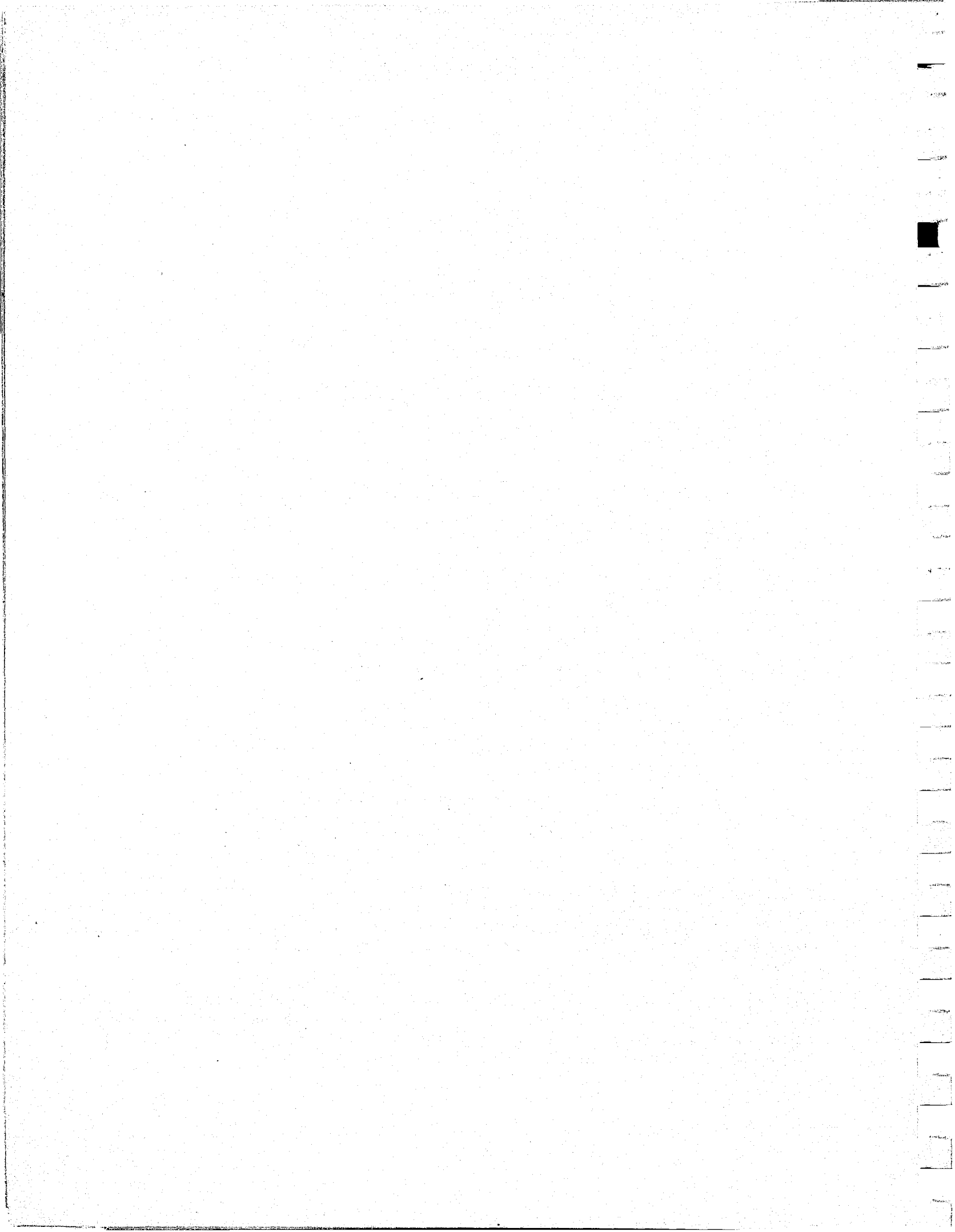
Table 3 requests data for guilty dispositions of criminal cases by month for 1970 through 1973, inclusive. These data will be used principally for the Program evaluation. Notes on the requested data are contained in the table, itself.

Table 4 requests case delay data by month and crime type for 1970 through 1973. The data may be extracted from the following JIS data records:

<u>Record number</u>	<u>D02</u>	<u>Data element</u>	Filing date, Arraignment date, indictment date
	D06		Arrest date
	C40		Bond posting date
	C42		Trial or panel date
	C43, C48		Conviction date, sentencing date
	C44		Hearing date
	C47		Capias dates

The "days between" figures should be in whole numbers, rounded up in all cases, not truncated or 5/4 rounded. In each of the three categories, data are requested for the number of cases of each charge type which fall in each of the intervals. Computation will be required to produce the least, mean, modal, median, and maximum times.

Table 5 requests data on the Court backlog by month and charge type. The backlog should be defined as the number of cases pending (unheard) each month; this figure can be determined by examining the number of cases arraigned and dismissed, acquitted, nolle, or convicted each month.



CUYAHOGA COUNTY COURT OF COMMON PLEAS

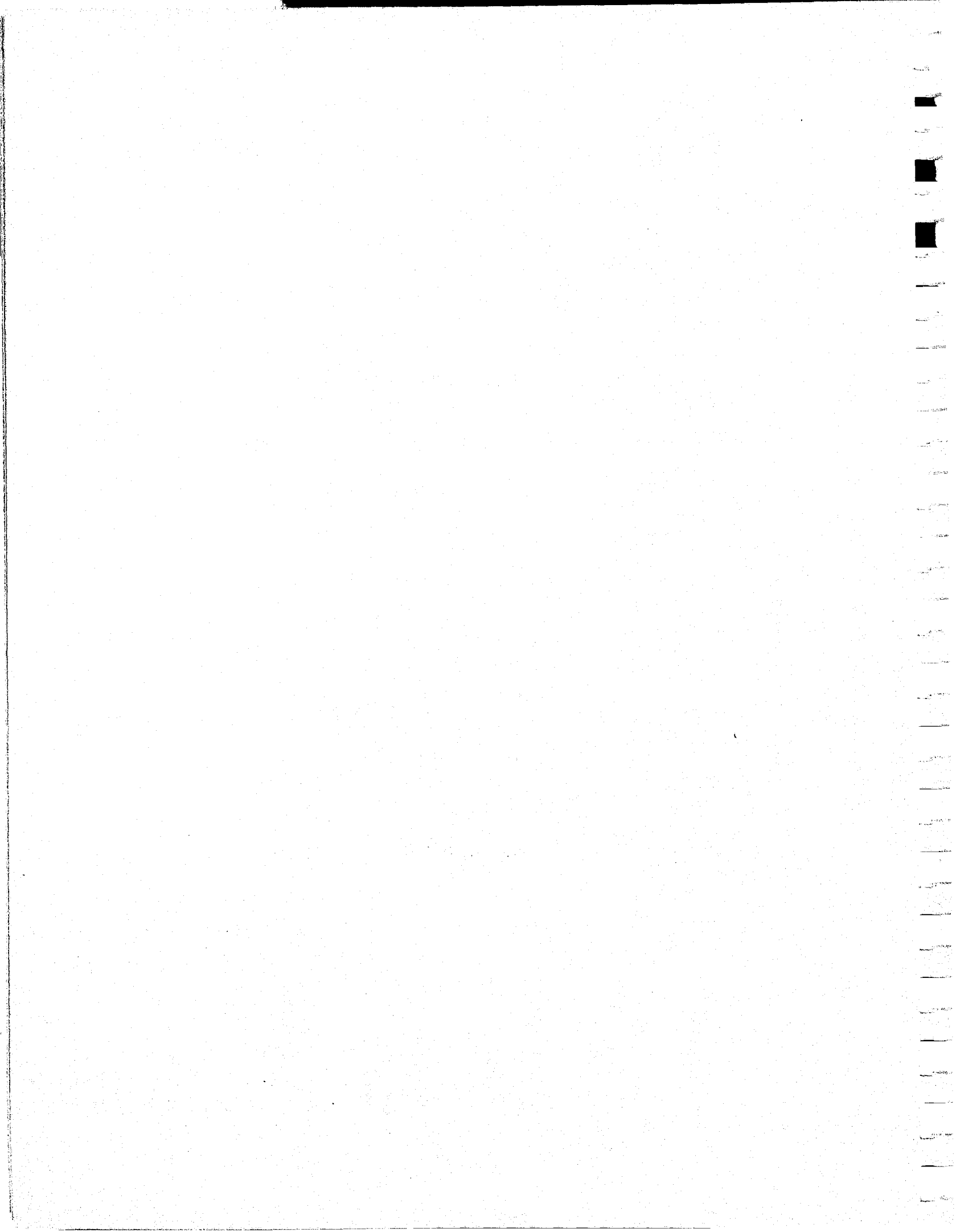
CRIMINAL CASE DEFENDANT CHARACTERISTICS

FOR THE YEAR OF 197x

\*\*\*\*\*CONVICTIONS\*\*\*\*\*

CHARACTERISTIC	ALL FELONY CHARGES		HOMICIDE		RAPE		ROBBERY		INITIAL CHARGE AGGRAVATED ASSAULT		BURGLARY		ALL OTHER FELONIES	
	NO.	PCT.	NO.	PCT.	NO.	PCT.	NO.	PCT.	NO.	PCT.	NO.	PCT.	NO.	PCT.
	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
(1) TOTAL NUMBER OF DEFENDANTS														
(2) SEX														
TOTAL REPORTED														
MALE														
FEMALE														
(3) RACE														
TOTAL REPORTED														
CAUCASIAN														
NEGRO														
OTHER														
(4) AGE AT FILING DATE														
TOTAL REPORTED														
UNDER 18														
18														
19														
20														
21-22														
23-24														
25-29														
30-34														
35-39														
40-44														
45-49														
50-54														

MEMORANDUM TABLE 1

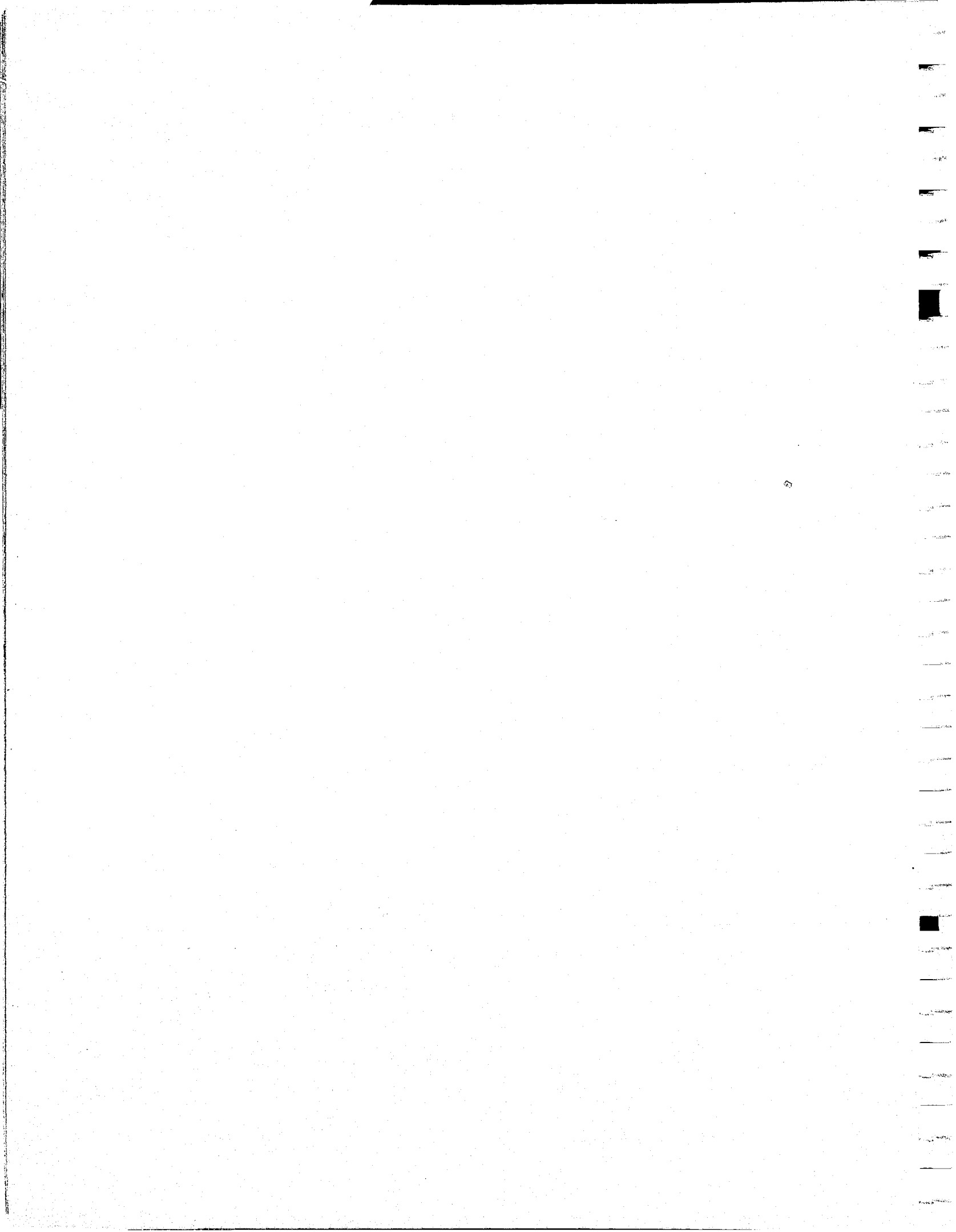


CUYAHOGA COUNTY COURT OF COMMON PLEAS  
 CRIMINAL CASE DEFENDANT CHARACTERISTICS  
 FOR THE YEAR OF 197x

\*\*\*\*\*CONVICTIONS\*\*\*\*\*

CHARACTERISTIC	I N I T I A L C H A R G E													
	ALL FELONY CHARGES		HOMICIDE		RAPE		ROBBERY		AGGRAVATED ASSAULT		BURGLARY		ALL OTHER FELONIES	
	NO.	PCT.	NO.	PCT.	NO.	PCT.	NO.	PCT.	NO.	PCT.	NO.	PCT.	NO.	PCT.
(4) AGE AT FILING DATE														
55-59														
60-64														
OVER 64														
(5) RESIDENCE AT FILING DATE														
TOTAL REPORTED														
CLEVELAND														
CUYAHOGA CTY, OTHER														
OHIO, OTHER COUNTY														
ALL OTHERS														
(6) MARITAL STATUS AT FILING DATE														
TOTAL REPORTED														
UNMARRIED														
MARRIED														
ALL OTHER														
(7) EMPLOYMENT STATUS AT FILING DATE														
TOTAL REPORTED														
EMPLOYED IN CLEVELAND														
EMPLOYED IN OTHER CITY														
UNEMPLOYED														
STUDENT														
ALL OTHER														

MEMORANDUM TABLE 1



CUYAHOGA COUNTY COURT OF COMMON PLEAS

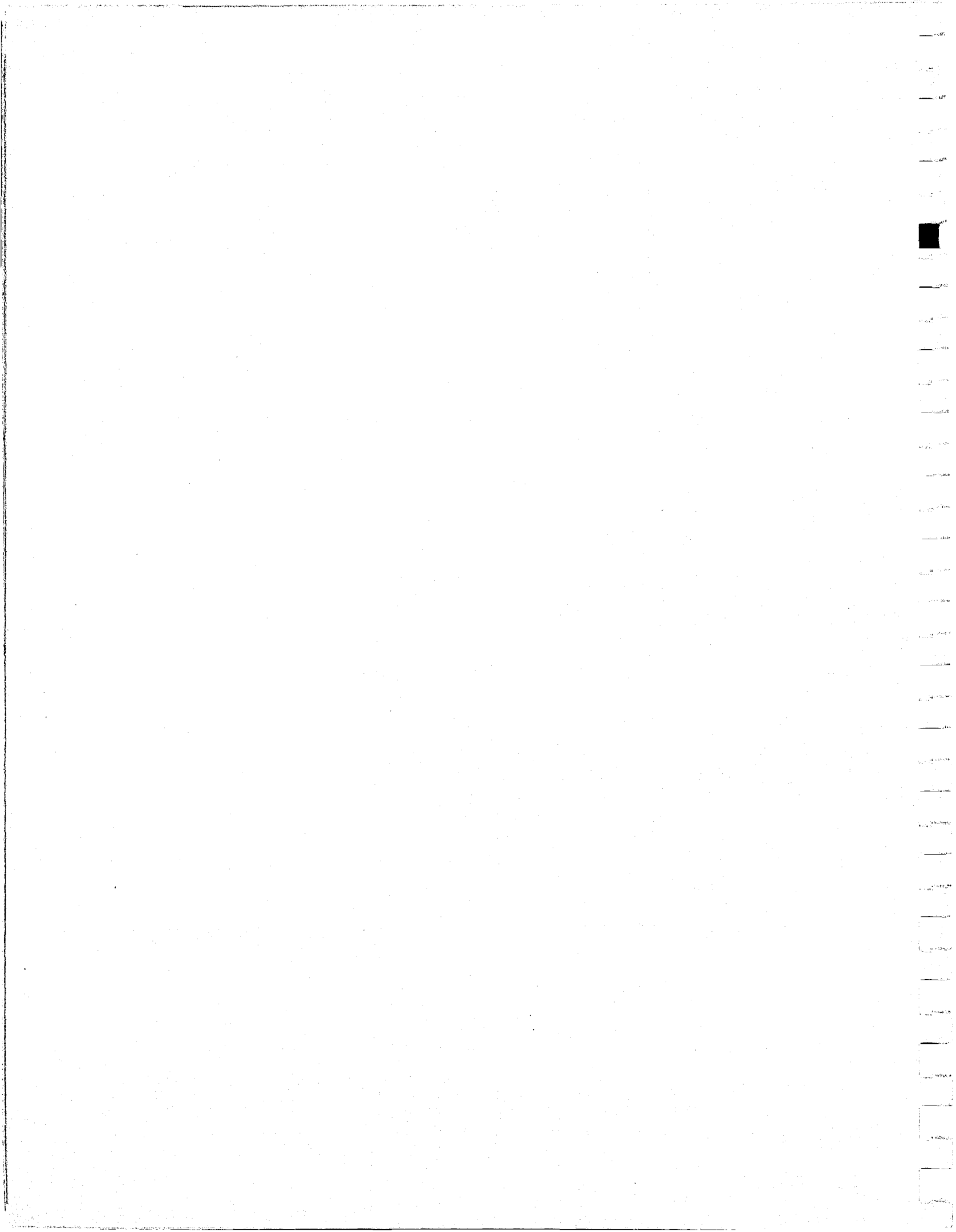
CRIMINAL CASE DEFENDANT CHARACTERISTICS

FOR THE YEAR OF 197x

\*\*\*\*\*ACQUITTALS/DISMISSALS\*\*\*\*\*

CHARACTERISTIC	ALL FELONY CHARGES		HOMICIDE		RAPE		ROBBERY		INITIAL CHARGE AGGRAVATED ASSAULT		BURGLARY		ALL OTHER FELONIES	
	NO.	PCT.	NO.	PCT.	NO.	PCT.	NO.	PCT.	NO.	PCT.	NO.	PCT.	NO.	PCT.
(1) TOTAL NUMBER OF DEFENDANTS														
(2) SEX														
TOTAL REPORTED														
MALE														
FEMALE														
(3) RACE														
TOTAL REPORTED														
CAUCASIAN														
NEGRO														
OTHER														
(4) AGE AT FILING DATE														
TOTAL REPORTED														
UNDER 18														
18														
19														
20														
21-22														
23-24														
25-29														
30-34														
35-39														
40-44														
45-49														
50-54														

MEMORANDUM TABLE 2





CUYAHOGA COUNTY COURT OF COMMON PLEAS

CRIMINAL CASE DEFENDANT CHARACTERISTICS

FOR THE YEAR OF 197x

\*\*\*\*\*ACQUITTALS/DISMISSALS\*\*\*\*\*

CHARACTERISTIC	ALL FELONY CHARGES		INITIAL CHARGE								ALL OTHER FELONIES		
	NO.	PCT.	HOMICIDE		RAPE		ROBBERY		AGGRAVATED ASSAULT		BURGLARY		NO.

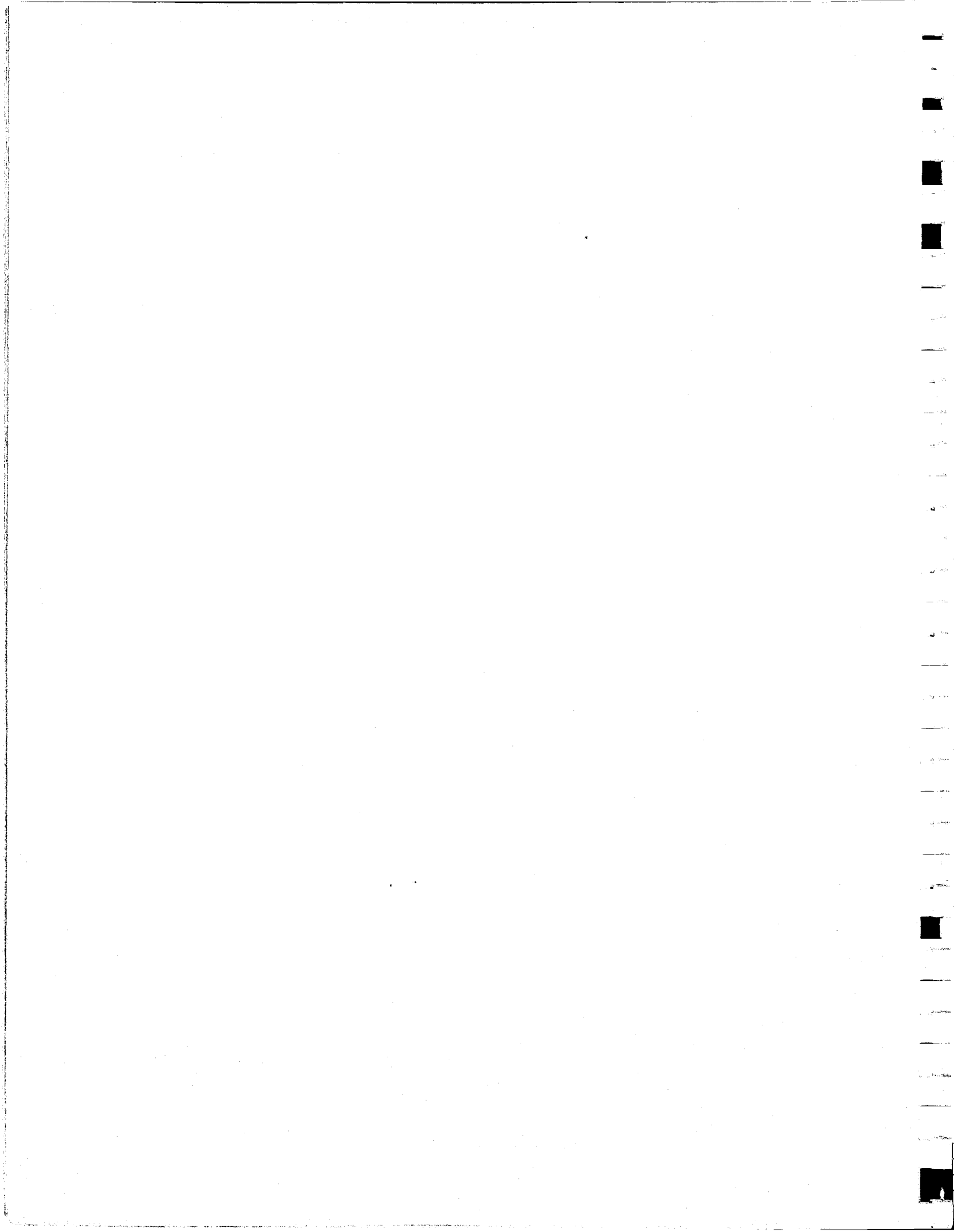
(4) AGE AT FILING DATE  
 55-59  
 60-64  
 OVER 64

(5) RESIDENCE AT FILING DATE  
 TOTAL REPORTED  
 CLEVELAND  
 CUYAHOGA CTY, OTHER  
 OHIO, OTHER COUNTY  
 ALL OTHERS

(6) MARITAL STATUS AT FILING DATE  
 TOTAL REPORTED  
 UNMARRIED  
 MARRIED  
 ALL OTHER

(7) EMPLOYMENT STATUS AT FILING DATE  
 TOTAL REPORTED  
 EMPLOYED IN CLEVELAND  
 EMPLOYED IN OTHER CITY  
 UNEMPLOYED  
 STUDENT  
 ALL OTHER

MEMORANDUM TABLE 2



CUYAHOGA COUNTY COURT OF COMMON PLEAS

CRIMINAL CASE DISPOSITION HISTOGRAM

FOR CASES COMPLETED DURING THE MONTH OF

september, 197x

MEMORANDUM

TABLE 3

INITIAL CHARGE = xxxxxxxxxxxxxxxxxxxx

GUILTY AS CHARGED	GUILTY LESSER INCLUDED OFFENSE	GUILTY BY			SENTENCE	PROBATION		FINE	
		COURT PLEA	JURY TRIAL	JUDGE TRIAL PANEL		IMPOSED	SUSPEN.	IMPOSED	SUSPEN.
*CASES*	**CASES*	*****CASES*****			*****LENGTH*****		***AMOUNT***		

EXAMPLES:

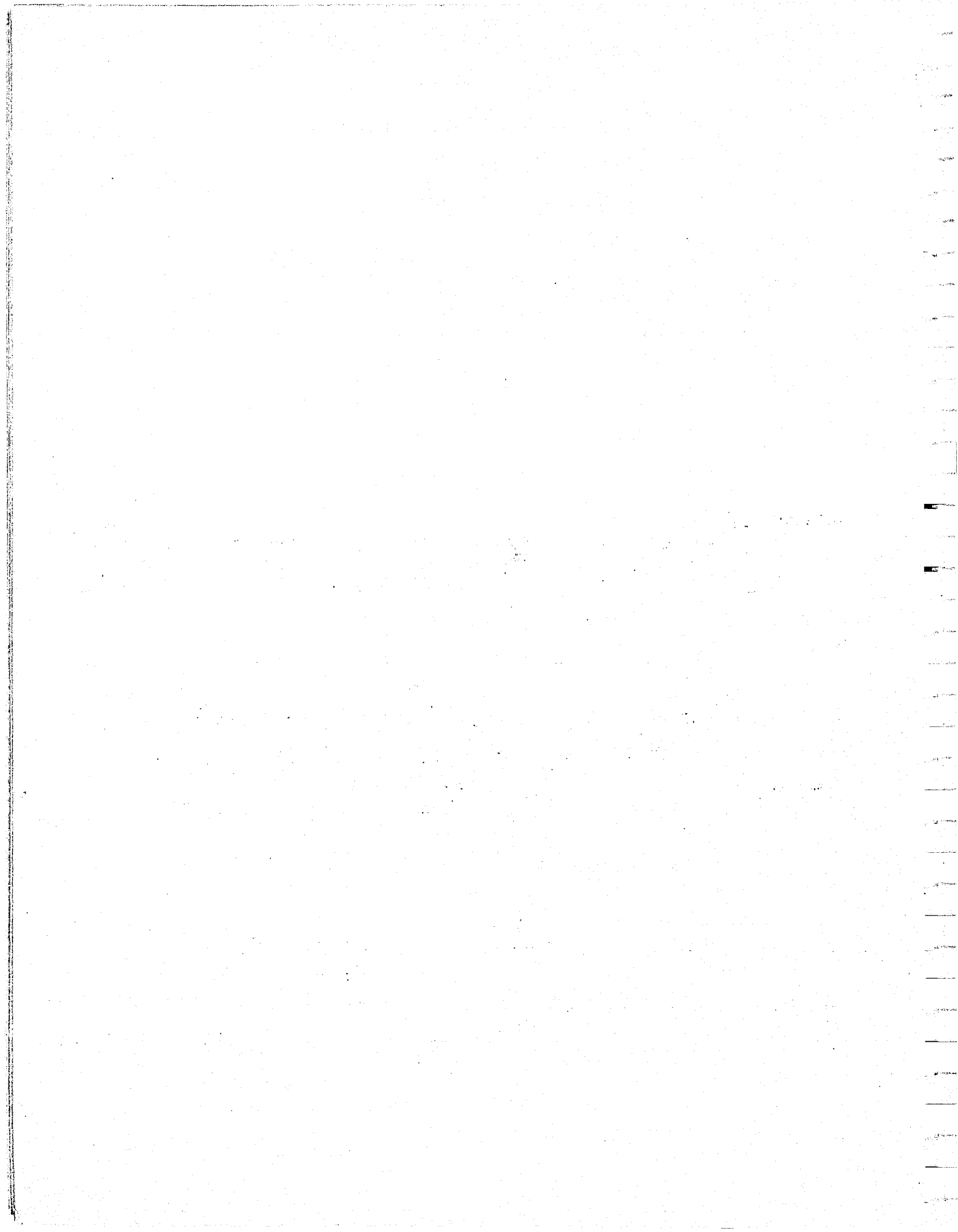
3	10	6	2	1	4	4Y 6M	4Y 0M	3Y	2Y	2000	2000
2	15	7	0	0	10	6Y 0M	5Y 6M	3Y	0Y	500	0
9	4	4	6	3	0	6Y 6M	0Y 6M	0Y	0Y	10000	5000

NOTE: INITIAL CHARGE = ALL FELONY CHARGES  
 HOMICIDE  
 RAPE  
 ROBBERY  
 AGGRAVATED ASSAULT  
 BURGLARY  
 ALL OTHER FELONIES

MONTH OF = JANUARY, 1970  
 through  
 DECEMBER, 1973, inclusive

The sorting keys should prepare data to print in ascending order (the least sentences at the top of the histogram), from the smallest sentence/probation/fine to the largest. The order of precedence is (1) SENTENCE IMPOSED (2) SENTENCE SUSPENDED (3) PROBATION IMPOSED (4) PROBATION SUSPENDED (5) FINE IMPOSED (6) FINE SUSPENDED

Sorting should not be keyed on the number of defendants or how their guilt was determined.



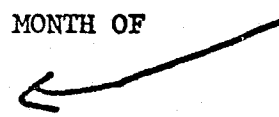
CUYAHOGA COUNTY COURT OF COMMON PLEAS

CRIMINAL CASE DELAY CHARACTERISTICS

FOR CASES COMPLETED DURING THE MONTH OF

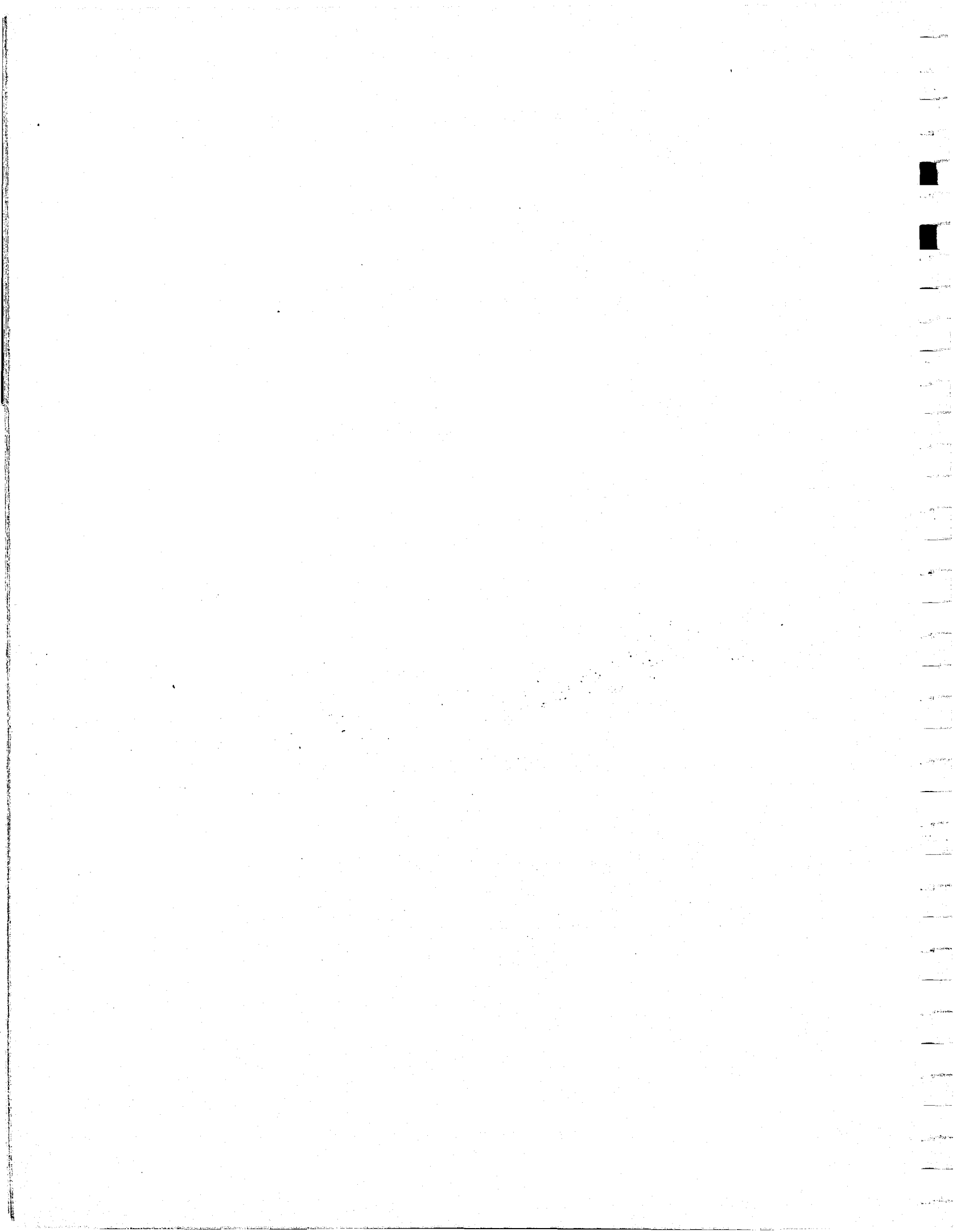
september, 197x

For each month of each year



CHARACTERISTIC	ALL FELONY CHARGES		HOMICIDE		RAPE		INITIAL ROBBERY		CHARGE AGGRAVATED ASSAULT		BURGLARY		ALL OTHER FELONIES	
	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES
(1) FROM ARRAIGNMENT TO CONVICTION														
LESS THAN 5 DAYS														
5-9 DAYS														
10-14 DAYS														
15-19 DAYS														
20-24 DAYS														
25-29 DAYS														
30-34 DAYS														
35-39 DAYS														
40-44 DAYS														
45-49 DAYS														
50-54 DAYS														
55-59 DAYS														
OVER 59 DAYS														
TOTAL														
LEAST TIME														
MEAN TIME														
MODAL TIME														
MEDIAN TIME														
MAXIMUM TIME														

MEMORANDUM TABLE 4



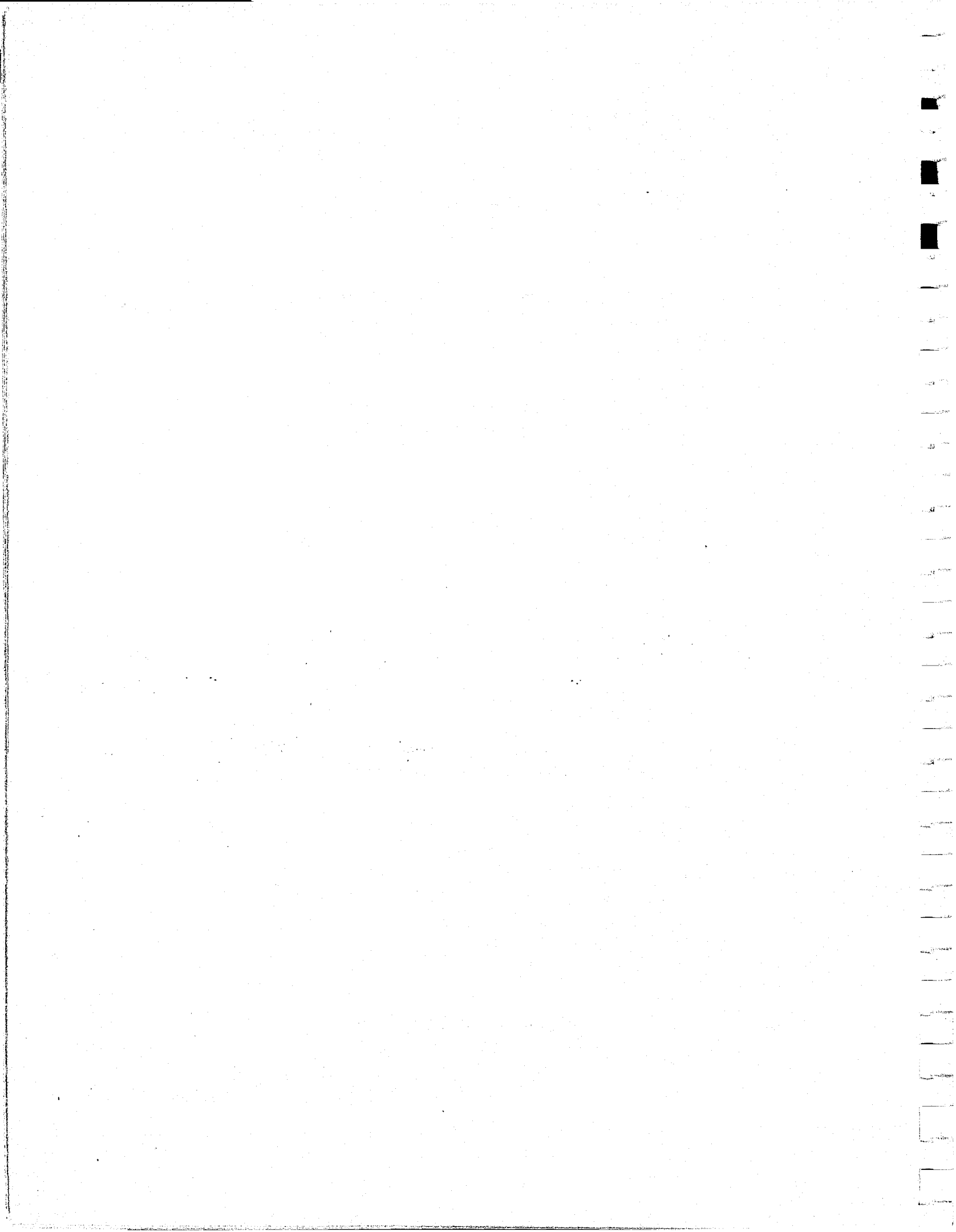
CUYAHOGA COUNTY COURT OF COMMON PLEAS

CRIMINAL CASE DELAY CHARACTERISTICS

FOR CASES COMPLETED DURING THE MONTH OF For each month of each year  
 september, 197x

CHARACTERISTIC	ALL FELONY CHARGES		HOMICIDE		RAPE		ROBBERY		AGGRAVATED ASSAULT		BURGLARY		ALL OTHER FELONIES	
	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES
(2) FROM ARRAIGNMENT TO ACQUITTAL/DISMISSAL														
LESS THAN 5 DAYS														
5-9 DAYS														
10-14 DAYS														
15-19 DAYS														
20-24 DAYS														
25-29 DAYS														
30-34 DAYS														
35-39 DAYS														
40-44 DAYS														
45-49 DAYS														
50-54 DAYS														
55-59 DAYS														
OVER 59 DAYS														
TOTAL DAYS														
LEAST TIME														
MEAN TIME														
MODAL TIME														
MEDIAN TIME														
MAXIMUM TIME														

MEMORANDUM TABLE 4





CUYAHOGA COUNTY COURT OF COMMON PLEAS

CRIMINAL CASE DELAY CHARACTERISTICS

FOR CASES COMPLETED DURING THE MONTH OF

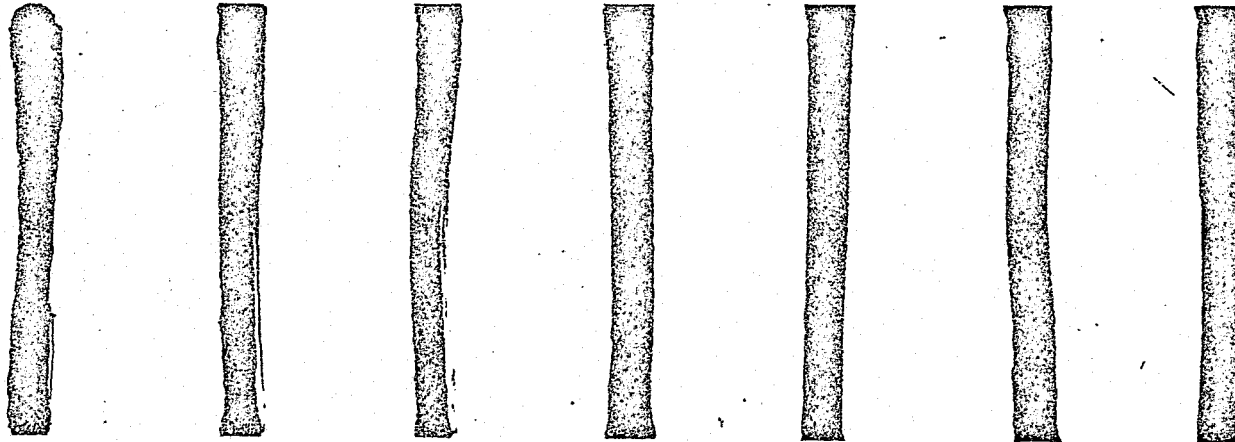
september, 197x

For each month of each year

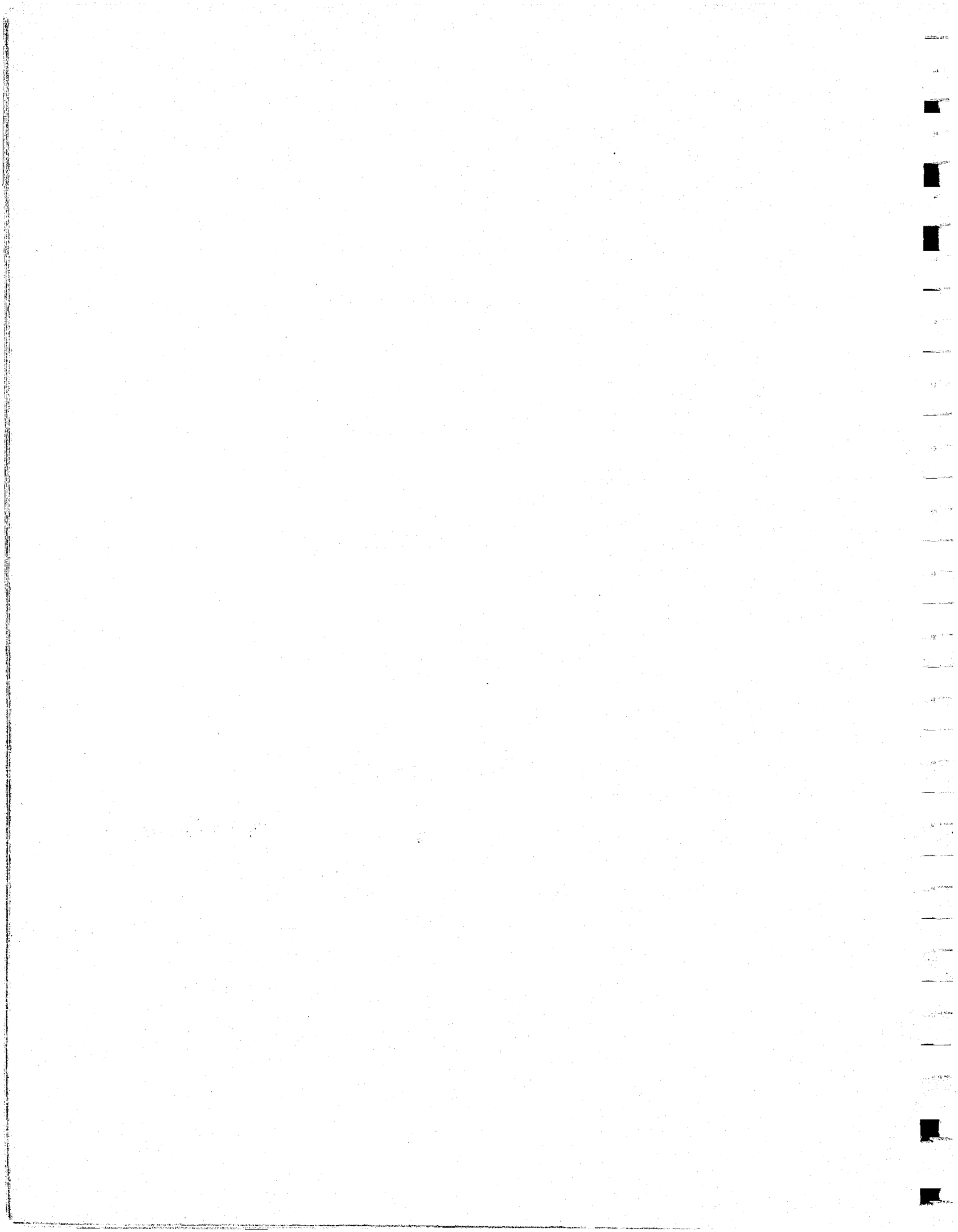
CHARACTERISTIC	ALL FELONY CHARGES		HOMICIDE		RAPE		ROBBERY		AGGRAVATED ASSAULT		BURGLARY		ALL OTHER FELONIES	
	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES	NO. DAYS	NO. CASES

(3) FROM CONVICTION TO SENTENCING

- LESS THAN 5 DAYS
- 5-9 DAYS
- 10-14 DAYS
- 15-19 DAYS
- 20-24 DAYS
- 25-29 DAYS
- 30-34 DAYS
- 35-39 DAYS
- 40-44 DAYS
- 45-49 DAYS
- 50-54 DAYS
- 55-59 DAYS
- OVER 59 DAYS
- TOTAL DAYS



- LEAST TIME
- MEAN TIME
- MODAL TIME
- MEDIAN TIME
- MAXIMUM TIME



CUYAHOGA COUNTY COURT OF COMMON PLEAS

CRIMINAL CASE BACKLOG

For each month of each year

FOR THE MONTH BEGINNING

september 1, 197x

----- I N I T I A L   C H A R G E -----

CHARACTERISTIC	ALL FELONY CHARGES	HOMICIDE	RAPE	ROBBERY	AGGRAVATED ASSAULT	BURGLARY	ALL OTHER FELONIES
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NUMBER OF CASES ARRAIGNED  
PREVIOUS MONTH

ALL JUDGES  
VISITING JUDGES

NUMBER OF CASES DISPOSED  
OF PREVIOUS MONTH

ALL JUDGES  
VISITING JUDGES

BACKLOG AS OF THIS  
DATE

MEMORANDUM TABLE 5

**END**

7 ables/mi