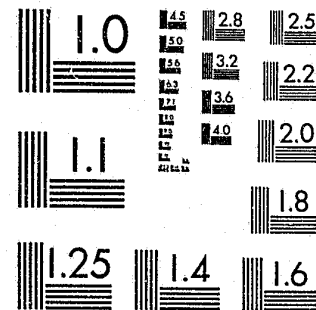


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April 30, 1984

Mr. José C. Feliciano
Cleveland Chief Police Prosecutor
Justice Center - 8th Floor
1200 Ontario Street
Cleveland, Ohio 44113

Dear Mr. Feliciano:

Enclosed is the final report on the Mediation Program that operates as part of your Office.

The report was prepared by the Institute in order to assess how successful the Program was in meeting its major objectives of offering Cleveland residents a responsible method to resolve interpersonal disputes, and helping to reduce the volume of citizen-filed cases that required formal court action.

Based on the analyses contained in the report, the Program appears not only to have met these objectives, but also to have provided a beneficial service to the community. During the one year period covered by the report, more than 17,000 community residents received Program services.

A representative sample of 130 individuals who used the Program showed that 85 per cent were satisfied with their mediated agreements; 73 per cent felt that the hearing had been helpful in resolving their problems and 96 per cent were satisfied with the treatment they received from Program mediators. Approximately 70 per cent of those interviewed stated that they would use the Program in the future in the event they had a similar dispute.

Mr. José C. Feliciano
Page 2
April 30, 1984

In addition, the Program has had an impact on the workload of the City's criminal justice system. Fewer citizen-filed complaints entered the Municipal Court than before the Program was in operation. Prosecutors are no longer required to screen citizen complaints or perform case review, both of which had previously involved a significant amount of staff time. Processing and arrest activities by the Clerk of Courts and the Police Division also have been reduced.

The Institute would like to thank you, your staff and the Office of the Cleveland Municipal Clerk of Courts for the cooperation and assistance that made the completion of this study possible.

Sincerely,

Jay Talbot

Jay Talbot

JT/sds

**REPORT ON THE
CLEVELAND PROSECUTOR'S
MEDIATION PROGRAM**

**Prepared by:
Cincinnati Institute of Justice
April, 1984**

**REPORT ON THE
CLEVELAND PROSECUTOR'S MEDIATION PROGRAM**

Table of Contents

<u>Section</u>	<u>Pages</u>
Introduction	i - iv
Section I: Municipal Court Caseload Analysis	1 - 10
Section II: Mediation Program Caseload Analysis	11 - 20
Section III: Results of Program Participant Survey	21 - 24
Section IV: Description of Report Methodology	25 - 34
Appendix A: Attachments to Report on Statistical Analyses and Program Operations	35 - 61
Appendix B: Attachments to Report on Methodology	62 - 93

REPORT ON THE

CLEVELAND PROSECUTOR'S MEDIATION PROGRAM

INTRODUCTION

This is a report on the Mediation Program that was created in 1982 by the Cleveland Police Prosecutor's Office. The report, which covers the period from June, 1982 through May, 1983, was prepared by the Cincinnati Institute of Justice to provide information on the Program's success in meeting its objectives and on the effectiveness of overall Program operations.

The Mediation Program was established for a three-year period with funds provided by the City and The Cleveland Foundation. The Program was designed to meet two major objectives:

1. To offer Cleveland residents an immediate and effective way to resolve inter-personal disputes without resorting to the formal criminal process of complaint, arrest, trial, disposition and, in some cases, probation or jail; and
2. To reduce the volume of citizen-filed cases with required review by City prosecutors, processing by the Clerk of Courts, arrest by City police and adjudication by the Cleveland Municipal Court.

The Mediation Program was structured to serve as an alternative to the local criminal justice system. Prior to the Program's existence, approximately 14,000 community residents used the Prosecutor's Office to deal with disputes that generally involved family members, friends, neighbors or acquaintances. These complaints often led to a charge that required formal court action or time-consuming review by prosecutorial

staff. Typical charges included minor assaults, threats, thefts, property damage, non-support, dog disturbances or other misdemeanor-type incidents.

This report was prepared to help determine whether and, if so, how the Program met its original goals, what impact the Program had on the local justice system's operation and how the Program functioned during its initial months of operation. The time period covered in the study - June, 1982 through May, 1983 - represents a 12 month period of full operation. Although the Program officially started in January, the first five months of activity represented a "start-up" phase during which staff were selected and trained, new procedures were implemented and operational adjustments made. Consequently, the time covered in the report excludes this start-up phase and represents a one year period of full operation.

The specific purposes of the study are:

- To measure the impact of the Program on Cleveland's justice system, specifically the Municipal Court's criminal misdemeanor caseload and the Prosecutor's Office workload;
- To assess overall Program operations, including information on each component as well as outputs at these various stages of activity; and
- To measure the opinions and perceptions of those citizens who both used and were involved in the mediation process.

As part of the initial Program design, the Cleveland Municipal Court's 1980 caseload was analyzed to establish a frame of reference for assessing the Program's effect once it was in operation. Consequently, the information contained in this document compares the Program's June, 1982 to May, 1983 period of operation to a "baseline" of calendar year 1980.

Following is a summary of the major Program findings. More detailed information on each finding, as well as other related data on Program operations, is contained in the sections which are attached.

1. The Program screened approximately 13,700 complaints during its first year of operation and provided direct services to approximately 17,400 community residents.* Of the total number of complaints, 7,600 (56%) were scheduled for mediation hearings. The remaining complaints were either resolved by the Program's intake component, were referred by Program staff to more appropriate criminal justice or community agencies, or were authorized by a prosecutor for a warrant.
2. For those cases that required a mediation hearing, dispositions were reached within a period of 15 days from the date the complaint was originally brought. This period represents a significant reduction in the amount of time required to resolve a formal complaint prior to the creation of the Program. In 1980, citizen-filed complaints which were filed in Municipal Court required more than 105 days to reach final disposition.
3. The Program resulted in a high level of user satisfaction. Approximately 85 per cent of a randomly selected sample of citizens who used the Program stated that they were satisfied with the agreements reached with the assistance of the Program. Nearly three-fourths (73%) said that the Program hearing had been helpful in resolving the problem which prompted the complaint; 96 per cent were satisfied with the treatment they received from Program staff, and 68 per cent stated that they would use the Program in the future to resolve similar problems.
4. The Program decreased the volume of citizen-filed cases entering the local justice system as well as reducing workloads in the Prosecutor's Office, Clerk of Courts and Police Division due to a reduction in the need to screen complaints and process criminal warrants. The number of citizen-filed warrants entering the Cleveland court system on misdemeanor charges was reduced by more than 50 per cent during the report period compared to the baseline year. In 1980, an estimated 3,200 private misdemeanor cases were processed by the Prosecutor, Clerk of Courts and police, and were adjudicated in Municipal Court. During the report period, an estimated 1,500 similar cases entered the system. It should be noted that during the report period, the Program authorized warrants to be filed with the Clerk of Courts in 1,400 cases. This figure would appear to indicate that the Program served as an effective screening and referral mechanism for all citizen-filed disputes entering the Court.

*In some cases, disputes may have involved more than one complainant and one respondent. Consequently, the total number of community residents served by the Program may be assumed to be greater than the 17,400 citizens noted in this report.

The report which follows provides more detailed information on these findings and is divided into four sections. The first section describes the Program's impact on the local court system's caseload during the report period and contrasts it with the 1980 court caseload. Section II contains information on Program operations, including an analysis of the Program's intake component, hearing activities, and follow-up, as well as a profile on individuals who utilized Program services. The third section summarizes the survey of Program users. Section IV outlines the methodologies used to gather data for this study. An appendix is also attached which provides additional operational and statistical information on report analyses.

SECTION I:

MUNICIPAL COURT CASELOAD ANALYSIS

SECTION I. MUNICIPAL COURT CASELOAD ANALYSIS

This section of the report contains an analysis of the Program's effect on the Cleveland Municipal Court caseload. The impact is measured in two ways. First, the number of citizen-filed cases is compared with the baseline period. Second, citizen-filed cases are analyzed in terms of factors which involve the seriousness of the charges and the amount of court time required to resolve those cases set for trial. These factors were selected in an attempt to determine whether there have been "qualitative" changes in citizen-filed cases entering the system since the Program was started.

A major purpose of the Mediation Program has been to offer a responsible alternative to formal court processing for cases involving citizen disputes. Prior to the establishment of the Mediation Program, approximately 3,200 citizen-filed misdemeanor cases entered the Municipal Court each year, which represented approximately 19 per cent of the entire court misdemeanor caseload. These cases required 2.9 court appearances during an average period of 105 days to reach final disposition and involved a wide variety of charges.

Since the Program was initiated, the number of citizen-filed misdemeanor cases has been decreased by more than 50 per cent. Further, private complaints which entered the court system during the report period required fewer court appearances to resolve and were completed in an average of 70 days.

In order to determine what, if any, charges occurred in the Court's caseload because of the Program's case screening, four factors related to cases were analyzed: seriousness of charge, type of charge, case disposition and length of processing time.

Following is more detailed information regarding these factors as well as the effects the Program had on the composition of the caseload in Municipal Court.

Total Criminal Caseload

The Cleveland Municipal Court adjudicates cases involving criminal as well as traffic charges. In addition, all felony charges enter the local justice system through the Municipal Court where they are arraigned and preliminary hearings held to determine whether probable cause exists. This section focuses only on misdemeanor cases as they involve charges which are resolved by the Mediation Program.

Following is a summary of the number and type of cases which entered the Municipal Court during the report period and during the baseline period (1980).

TABLE I-A

DISTRIBUTION OF COURT CASELOAD

	<u>Report Period</u>	<u>Percentage of Court's Caseload</u>	<u>Baseline Period</u>	<u>Percentage of Court's Caseload</u>
1. Criminal Cases				
a. Felonies	6,062	23%	6,648	26%
b. Misdemeanors	16,356	63%	16,620	65%
Sub-Total, Criminal Cases	22,418	86%	23,268	91%
2. Criminal Bench Warrants*	(164)	N/A	(5,988)	N/A
3. Traffic Cases				
a. Bench Warrants & Other Traffic Charges*	(164)	N/A	(5,256)	N/A
b. Driver's License Points	210	1%	288	1%
Sub-Total, Traffic Cases	210	1%	288	1%
4. Miscellaneous Cases				
a. Case Number Not Assigned	760	3%	780	3%
b. Case File Not Located	1,299	5%	576	3%
c. Case File Labeled "No Papers"	1,404	5%	552	2%
d. Bratenahl Cases	12	-	72	-
Sub-Total, Miscellaneous Cases	3,475	13%	1,980	8%
TOTAL COURT CASELOAD	26,103	100%	25,536	100%

*The figures for criminal and traffic bench warrants were not included in the total court caseload due to the fact that the Court is no longer counting bench warrants as separate cases in addition to the original case. Instead, bench warrants are now counted as part of the original felony or misdemeanor case on which they are issued. Therefore, the warrant figures reported in Table I-A are already counted in the total number of criminal cases processed by the Court.

As Table I-A indicates, the total number of cases did not change significantly between 1980 and the report period. What did change, however, was the source of the complaint. As Table I-B indicates, the number of private citizens filing misdemeanor charges decreased by approximately 54 per cent while cases brought by police and representatives of other public agencies increased by ten per cent.

TABLE I-B

COMPLAINANT IN MISDEMEANOR CASES

<u>Complainant</u>	<u>Report Period</u>		<u>Baseline Period</u>	
	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
Private Citizens	1,474	9%	3,192	19%
Non-Private Representatives of Law Enforcement Agen- cies, Other Public Agen- cies and Local Businesses	14,882	91%	13,428	81%
TOTAL, CRIMINAL MISDEMEANOR CASES	16,356	100%	16,620	100%

It should be noted that during the report period, the Mediation Program screened approximately 13,659 citizen complaints and, of these, referred an estimated 1,400 to the Clerk of Courts for warrant. Based on the number of warrant referrals made by the Program and the number in the study sample, it would appear that the Program provided an effective mechanism for screening and referring nearly all of the citizen-filed misdemeanor cases entering the justice system.

Degree of Seriousness

Under Ohio statute, misdemeanors are classified in degrees ranging from the most severe (first degree) to lessor charges (second to fourth

degree). Misdemeanor charges which only involved fines represent a fifth category: "minor" misdemeanors. Following is a breakdown of the charge degrees for the private-filed misdemeanor cases which entered the system.

TABLE I-C

DEGREE OF SERIOUSNESS

MISDEMEANOR CHARGES - PRIVATE CASELOAD

	<u>Report Period</u>	<u>Per Cent of Private Misdemeanors</u>	<u>Baseline Period</u>	<u>Per Cent of Private Misdemeanors</u>
1st Degree	1,158	79%	2,412	76%
2nd Degree	152	10%	300	9%
3rd Degree	-0-	-0-	108	3%
4th Degree	164	11%	288	9%
Minor	-0-	-0-	84	3%
TOTAL, PRIVATE MISDEMEANOR CASES	1,474	100%	3,192	100%

As Table I-C indicates, the number of minor misdemeanor and less serious (third and fourth degree) misdemeanor charges were reduced by approximately 66 per cent. Citizen charges involving more serious allegations continued to enter the system.

Types of Charges

When private cases were analyzed in terms of specific charges, 41 per cent of the cases involved charges of assault and menacing. The rest of the cases included a broad range of charges as shown below:

TABLE I-D
TYPES OF CHARGES IN PRIVATE MISDEMEANOR CASES

	<u>Report Period</u>	<u>Percentage of Private Misdemeanor Caseload</u>	<u>Baseline Period</u>	<u>Percentage of Private Misdemeanor Caseload</u>
Misdemeanors (1st to 4th Degree)				
Assault/Menacing	597	41%	1,344	42%
Domestic Violence	281	19%	408	13%
Criminal Damaging	175	12%	408	13%
Other Misdemeanors	152	10%	144	5%
Petty Theft	117	8%	444	14%
Trespassing	105	7%	180	6%
Sex Assaults	23	1%	72	2%
Other Theft/Fraud	12	1%	108	3%
Disorderly Conduct	12	1%	-0-	-
Sub-Total, Misdemeanors	1,474	100%	3,108	98%
Minor Misdemeanors				
Dog Violations	-0-	-	48	2%
Disorderly Conduct	-0-	-	12	-
DC While Intoxicated	-0-	-	12	-
Other Minor Misdemeanors	-0-	-	12	-
Sub-Total, Minor Misdemeanors	-0-	-	84	2%
TOTAL, PRIVATE MISDEMEANOR CASES	1,474	100%	3,192	100%

These figures would appear to indicate that the types of charges in private dispute cases entering the Court during the report period were not significantly different than those handled by the Program (see Appendix for Attachment 1).

Case Dispositions

Dispositions of citizen-filed cases handled by the Court were reviewed to determine if the number of convictions increased during the report period. As the table on the following page indicates, there was no noticeable change in conviction rates. Although the number of cases that were dismissed or acquitted decreased, these figures were offset by increases in the number of cases either withdrawn or bound over to the Court of Common Pleas.

However, the reasons for case dismissals and the type of penalties assessed in misdemeanor convictions changed from 1980. Of the 503 private case dismissals during the report period, 42 per cent were dismissed because the complainant dropped charges; 33 per cent were dismissed at the request of the prosecuting attorney (i.e., "nolled"); 16 per cent were dismissed after the Court's acceptance of the defendant's motion for acquittal, and nine per cent were dismissed following a referral to the Probation Department's Selective Intervention Program. These figures differ from 1980 misdemeanor case dismissals in the following ways:

- Fewer private misdemeanor cases were dismissed at the request of the prosecuting attorney than in 1980, which may indicate that due to the screening of cases done by the Mediation Program, prosecutors had more time to prepare their cases;
- Fewer private misdemeanor cases were dismissed following a referral to the Selective Intervention Program;
- A larger number of citizens followed through with prosecution of their cases, which may be related to the increased level of information being given to citizens by Program staff on the criminal justice system, as well as the support given to victims of crime by the Witness/Victim Service Center;
- More private misdemeanor cases were dismissed following the Court's acceptance of the defendant's motion for acquittal (Attachment 2).

TABLE I-E

DISPOSITION OF PRIVATE MISDEMEANOR CASES

	<u>Report Period</u>	<u>Per Cent of Private Misdemeanors</u>	<u>Per Cent Adjusted for Warrant Never Served</u>	<u>Baseline Period</u>	<u>Per Cent of Private Misdemeanors</u>	<u>Per Cent Adjusted for Warrant Never Served</u>
Dismissed	503	34%	45%	1,440	45%	56%
Convicted	398	27%	36%	924	29%	36%
Warrant Never Served	363	25%	N/A	624	19%	N/A
Bench Warrant Issued	82	6%	8%	96	3%	4%
Acquitted	35	2%	3%	48	2%	2%
Warrant Withdrawn, Case Open or Bound Over to Common Pleas	93	6%	8%	60	2%	2%
TOTAL, PRIVATE MISDEMEANORS	1,474	100%	100%	3,192	100%	100%

In citizen-filed cases which resulted in convictions, 17 per cent were sentenced to jail; 59 per cent received penalties without incarceration (i.e., fines or court costs) and 24 per cent were not assessed any penalties or had all penalties suspended.

The two major differences between penalties assessed during the report period and those of 1980 private case convictions were in those cases which either involved penalties without incarceration or suspended sentences. In 1980, 71 per cent of private misdemeanor case convictions received penalties without jail sentences as compared to the report period's figure of 59 per cent. Also, 1980 figures showed that seven per cent of private misdemeanor convictions received suspended or no sentence as compared to the report period's figure of 24 per cent.

These figures demonstrate that during the report period, private misdemeanor convictions received less serious penalties than those similar cases in 1980 (Attachment 3).

Length of Court Processing Time

Cases which entered the court system during the report period required fewer appearances and less time to resolve than those private cases heard during the baseline period. Of the 1,100 cases which had at least one appearance, approximately 2.2 appearances were required for the case to reach final disposition in an average of 71 days. In 1980, private cases required 2.9 appearances and took 105 days to dispose of (Attachments 4, 5, and 6).

The reasons for this decrease in court processing time may be due to the overall decreases in defendant requests for continuances, referrals to special programs such as the Selective Intervention Program, or a decrease in the number of defendants who failed to appear. Fewer court appearances in general were scheduled in the report period than in 1980 and thus, may have contributed to the Court's increased ability to process cases in a more timely manner. (Attachment 7).

In comparison, private misdemeanor cases scheduled for a mediation hearing were heard within 15 days from the date of filing the complaint with the Program. This figure indicates that the Program processed and disposed of six times as many cases in one-fifth the time that it took the Court to process similar types of cases.

SECTION II:

MEDIATION PROGRAM CASELOAD ANALYSIS

SECTION II. CLEVELAND PROSECUTOR'S MEDIATION PROGRAM: DESCRIPTION OF
PROGRAM OPERATIONS AND ANALYSIS OF PROGRAM CASELOAD

This section describes the operations of the Cleveland Prosecutor's Mediation Program and the actions taken in the three major components of the Program. These three components consist of intake, where complaints are initially screened and processed; mediation, where hearings are held in order to resolve the inter-personal dispute which prompted the complaint; and follow-up, where hearing cases which result in settlements are followed up by Program staff to assess whether additional Program services are required.

The following information is presented to quantitatively demonstrate how the Mediation Program operates and the flexibility it has used in providing service to citizens involved in a wide variety of problems.

This section contains a description of how the intake component screened and processed citizen-filed misdemeanor cases during the report period; how mediation hearings functioned and what resulted in those cases scheduled for hearings; a description of the kinds of follow-up activities performed by Program staff on cases which were settled during hearings; and a demographic description of program clientele.

Program Intake

A community resident who wishes to file a criminal complaint against another private individual is referred to the Mediation Program in one of four ways: by self-referral; by the Cleveland Police Division; by the Cleveland Municipal Court; or by a range of sources, such as private attorneys, or other public or police agencies. Of the 13,659 private dispute cases handled by the Mediation Program during the report period,

77 per cent were self-referrals; 18 per cent police referrals; one per cent court referrals, and four per cent came from other miscellaneous sources.

The Program acts as a clearinghouse for citizen complaints, screening and processing them in one of the following manners:

- If the dispute involves a misdemeanor charge which the complainant and the Program's intake worker think can be resolved through mediation, it is scheduled for a hearing approximately 15 days from the date on which the complaint was made at intake.

The complainant is also given an information sheet which explains the purpose of mediation and what will happen at the hearing, together with a written notice of the date and time of the hearing (Attachments 8 and 9) and any type of informative materials pertaining to their type of complaint (e.g. handbook from Witness/Victim Services; information on Small Claims Court).

- If the complaint involves something other than a misdemeanor, such as a felony or a civil matter, it is referred to the Police Division, or the appropriate court jurisdiction, such as Juvenile Court or Domestic Relations Court for resolution.
- If the complaint can be more effectively addressed by a community service agency, such as the Welfare Department, or Witness/Victim Services, it is referred to the appropriate agency.
- Complaints which involve serious allegations such as physical injury or threats on the complainant's life, or which may require legal advice, are referred to a duty prosecutor (one of the prosecutorial staff who is assigned on a weekly rotating

basis to provide legal assistance to the Mediation Program) who reviews the intake information and either issues a warrant referral, or advises the intake worker as to what other actions are appropriate.

During the report period, the 13,659 private dispute cases which Program intake screened and processed were disposed of in the following manner:

TABLE II-A
CASE DISPOSITIONS MADE DURING PROGRAM INTAKE

<u>Disposition</u>	<u>Number of Cases</u>	<u>Percentage of Total Program Caseload</u>
Scheduled for Mediation Hearing	7,593	56.0%
Referred to Criminal Justice/ Social Service Agency	3,155*	23.0%
Authorized by Prosecutor for Warrant Issuance	1,204	9.0%
Not Accepted for Mediation Because of Lack of Necessary Case Information	1,294	9.0%
Inappropriate for Program due to Invalid Complaint	357	2.6%
Previous Hearing; Additional Follow-Up Required	56	0.4%
TOTAL, PROGRAM INTAKE CASELOAD	13,659	100.0%

*This figure represents the total number of cases which involved at least one referral to a criminal justice or community service agency. The number of individual referrals made from intake was approximately 4,900. The total number of individual referrals included 2,887 to the Cleveland Police Division, 412 to Small Claims Court, and 606 to Witness/Victim Services.

Program Hearings

Mediation hearings have two major objectives. The first is to help the parties resolve the dispute between themselves in a mutually satisfactory manner. The second is to address any long-term problems either party may have which have contributed to the dispute through the use of referrals to additional criminal justice or community service agencies.

When both parties appear for their hearing, a trained mediator listens to both sides of the dispute and works to help them arrive at their own solution to the problem. If they are not able to reach a mutual agreement and the complainant wishes to pursue the matter in Court, the mediator may review the case with a duty prosecutor in order to determine if there is sufficient evidence to issue a warrant. If there is insufficient evidence for a warrant, the mediator makes a supplemental referral to other criminal justice or community agencies as either party may require and the hearing is concluded.

Supplemental referrals are made to complainants and respondents who may require additional assistance in resolving their problem. For example, in the event that the dispute involves a civil property claim instead of a criminal offense, a party may be referred to Small Claims Court. Another individual may have long-standing problems such as alcoholism, which may be the underlying cause of the dispute between the participants. In this case, that individual, whether complainant or respondent, is referred to community services equipped to deal with alcoholism.

In cases where one or both parties do not show up for a hearing, Program staff try to contact the absent party(ies) to find out why they have not appeared. In some cases, neither party is present because their dispute has been resolved. In these situations, the case disposition is recorded as a prior settlement and the hearing is cancelled.

In those instances where the respondent is absent, the complainant has the option of either rescheduling the hearing, having the case reviewed for warrant issuance, or withdrawing the complaint. In all other cases involving absentee parties, the Program drops the complaint.

During the report period, the Program processed 7,593 hearing cases. These cases resulted in the following dispositions:

TABLE II-B

CASE DISPOSITIONS MADE DURING PROGRAM HEARINGS

<u>Disposition</u>	<u>Number of Cases</u>	<u>Percentage of Program Hearing Caseload</u>
1. Hearing Held With Both Parties Present:		
- Settlement of dispute	3,133	
- No settlement of dispute	613	
Sub-Total, Case Hearings Held	3,746	49%
2. Complaints Dropped by the Program due to:		
- Complainant failure to appear at hearing	591	8%
- Both parties failure to appear at hearing	1,550	20%
Sub-Total, Complaints Dropped by Program	2,141	28%
3. Settlement of Dispute Prior to Hearing	814	11%

TABLE II-B - CASE DISPOSITIONS MADE DURING PROGRAM HEARINGS

<u>Disposition</u>	<u>Number of Cases</u>	<u>Percentage of Program Hearing Caseload</u>
4. Complaint Withdrawn by Complainant Due to Respondent's Failure to Appear at Hearing	524	7%
5. Authorized by Prosecutor for Warrant Issuance	201	3%
6. Rescheduled from Original Hearing Date After End of Report Period	167	2%
TOTAL, PROGRAM HEARING CASES	7,593	100%

It should be noted that 3,133 hearing cases resulted in a settlement of the participants' dispute. This figure represents an 84 per cent settlement rate of all hearings held with both parties present.

In addition, 779 supplemental referrals were made to hearing participants who required additional assistance beyond mediation. The referrals were made to the following criminal justice and community service agencies:

TABLE II-C

SUPPLEMENTAL HEARING REFERRALS TO
CRIMINAL JUSTICE/COMMUNITY SERVICE AGENCIES

<u>Agency</u>	<u>Number of Referrals</u>
Small Claims Court	312
Community legal services	156
Cleveland Police Division	100
Juvenile Court	56
Witness/Victim Service Center	22
Eviction Court	22
Domestic Relations Court	22
Counseling Services	22
Other agencies (including Welfare Department, Probate Court, and Cleveland Tenants' Organization)	67
TOTAL, SUPPLEMENTAL HEARING REFERRALS	779

Follow-Up Activities

Within two weeks after a settlement has been reached, Program staff calls the citizens involved to determine whether the settlement is being kept, whether there have been any reoccurrences of the dispute, and whether the Program can provide any further assistance or service to the parties.

If both parties agree that the settlement is being kept, then no further action is taken.

If the respondent states that there is still some problem between the parties, Program staff will attempt to resolve the situation over the telephone and if necessary, may schedule a second hearing or refer the individuals to a more appropriate agency in order to help them resolve the dispute.

If the complainant states that the settlement has been broken and that there is still a dispute existing between them, then Program staff take appropriate follow-up action which may include contacting the respondent by letter, scheduling an additional hearing, referring the case to an outside agency, or referring it to a duty prosecutor to review it for possible warrant issuance.

During the report period, Program staff contacted or attempted to contact participants in 2,130 hearing cases. The following chart indicates the status of those cases after follow-up:

TABLE II-D
HEARING CASES FOLLOWED-UP BY PROGRAM STAFF*

	Number of Cases Followed-Up	Percentage of Cases Followed-Up
1. <u>Status of Hearing Settlement</u>		(Percentages adjusted for missing information)
Settlement Kept	1,293	77%
Settlement Broken	390	23%
Information Not in Records	447	N/A
TOTAL, CASES CONTACTED FOR FOLLOW-UP	2,130	100%

*These figures do not include those cases in the following categories:

1. Those cases in which Program staff made follow-up contact with the parties, but documented those contacts on additional Program records unavailable at the time of data collection; and
2. Those cases in which the parties were asked to contact the Program to report on the status of their agreement because neither of them had a telephone.

Therefore, all figures relating to follow-up activities may have been significantly higher than reported in this study.

TABLE II-D (Cont'd.)
HEARING CASES FOLLOWED-UP BY PROGRAM STAFF

	Number of Broken Settlement Cases	Percentage of Broken Settlement Cases
2. <u>Follow-Up Actions Taken in Broken Settlement Cases</u>		
Contacted Respondent by Letter	145	50%
Referred Either Party to Criminal Justice/Community Service Agency	45	15%
Gave Telephone Advice to Parties	33	11%
Scheduled Additional Hearing	22	8%
Referred Either Party to Private Attorney	22	8%
Referred Either Party for Warrant Issuance	22	8%
TOTAL, BROKEN SETTLEMENT CASES WITH FOLLOW-UP ACTIONS	289	100%

Profile of Program Participants

Data collected at program intake on clientele during the report period showed the following participant profile:

- Fifty-six per cent of program clients were male and 44 per cent were female. The majority of complainants were female (63%) and the majority of respondents were male (79%). (Attachment 10)
- The average age for complainants was 34 years and 31 years for respondents. The age range for program clients was 12 to 80 years. (Attachment 10)
- Sixty-one per cent of program clients were black, 35 per cent white, three per cent Hispanic, and one per cent other. (Attachment 10)

- More than half of the client population were married, divorced, or were involved in a boy-girlfriend relationship; or were friends or neighbors. (Attachment 11)
- Ninety-two per cent of complainants and 91 per cent respondents lived in the city; eight per cent and nine per cent, respectively, lived in suburban communities. More than half of both complainants and respondents lived in the northeast and southeast areas of the city. (Attachment 12)

SECTION III:

RESULTS OF PROGRAM PARTICIPANT SURVEY

SECTION III. CLEVELAND PROSECUTOR MEDIATION PROGRAM: RESULTS OF PARTICIPANT SURVEY

This section summarizes results of a survey conducted to determine how Program participants felt about the services they received from the Mediation Program. A random sample of 130 citizens who had either brought complaints to the Program, or who had responded to complaints brought against them during February and March, 1983, were interviewed.

The interview sample consisted of three groups of Program participants: 50 complainants who had participated in a hearing; 50 respondents who had participated in a hearing; and 30 complainants who had been scheduled for a hearing but had not appeared for it. The complainants and respondents interviewed were not opposing parties in the same hearing.

In general, reactions to the Program were positive. The majority of people who had reached solutions in their hearings were satisfied with those solutions. In most cases, there were no significant differences in the responses of complainants and respondents.

The following analysis summarizes the survey findings, including participants' feelings of satisfaction with Program services they received; how helpful they felt the Program was in helping to resolve their dispute; and how satisfied they were with the way in which Program staff treated them during their participation. Also included are data on why some complainants did not attend their scheduled hearing and additional demographic information on survey participants.

Helpfulness of/Satisfaction with Hearing Process

Nearly eighty per cent (79%) of all interviewees, including those who did not resolve their disputes during their hearings, felt that the time

spent at the hearing had been worthwhile, and 73 per cent felt that the hearing had been helpful in resolving the problem which had prompted the complaint (Attachment 13).

Approximately one-fifth of the participants mentioned the following points when asked what they specifically liked about the hearing format:

1. The informal, yet confidential setting of the hearing, which provided an opportunity for both parties to openly discuss, understand and attempt to resolve their dispute; and
2. The timely manner in which the hearing was scheduled and handled.

In addition, 68 per cent stated that they would participate in another hearing if a similar problem arose in the future. More respondents than complainants stated that they would participate in a hearing first before trying other legal options (Attachment 13).

Helpfulness of/Satisfaction with Solution Reached in Hearing

Of the 82 individuals who stated that they had reached a solution to their dispute during the hearing, 85 per cent felt that the solution helped solve the problem "for the time being," and 72 per cent stated that the problem had not occurred again. More respondents than complainants stated that the solution had been helpful and that the problem had not come up again (Attachment 14).

In addition, 85 per cent reported satisfaction with their solution and 83 per cent felt that the solution was fair to their side of the dispute. There was little difference between the responses of complainants and respondents to questions of satisfaction with their solution (Attachment 14).

Mediator Impartiality; Treatment by Staff

Among all of the interviewees who had participated in a hearing, 92 per cent felt that the mediator had been fair to both parties during the hearing and had not favored one side over the other (Attachment 15).

Forty per cent of hearing participants mentioned specific things that they liked about their mediator, such as the mediator's earnest attempts to understand the problem, good listening abilities, and general courteous and friendly behavior towards the participants.

In addition, 96 per cent of all interviewees with hearings reported general satisfaction with the way staff treated them when they came down for their hearing (Attachment 15).

Complainant No Show Situations

Among the 30 complainants interviewed who did not appear for their scheduled hearing, more than half stated that they were either ill at the time of hearing or thought that the respondent would not appear at the hearing. The remaining interviewees gave a range of reasons for not attending their scheduled hearing, including a lack of available transportation, or prior resolution of the dispute (Attachment 16).

Additional Descriptions of Program Participants

All interviewees (who were randomly selected from the general program population - see Section IV for methodology used) represented the average characteristics of program participants as reported in Section II. However, due to the number of complainants interviewed, there was a higher proportion of females interviewed (62%) than the profile of program participants indicated, as well as a slightly higher proportion of blacks (68% vs. 61%). Age and relationship remained the same.

The following additional information was collected on all interviewees:

- More than half of all individuals interviewed had completed high school and/or some college.
- Forty-five per cent of those interviewed were unemployed at the time of the interview, and 27 per cent were employed. The rest were either disabled and unable to work, retired, or were full-time homemakers or students.
- Of those employed, more than one-third worked in semi-skilled or unskilled labor positions.
- Thirty-eight per cent of interviewees were receiving public assistance (ADC, food stamps, etc.) at the time of the interview (Attachment 17).

SECTION IV:

DESCRIPTION OF REPORT METHODOLOGY

SECTION IV. METHODOLOGY DESCRIPTION

This section describes the specific methodologies used to collect data for this study, including descriptions of sample selections, data collection and preparation, and major data analysis procedures for the Cleveland Municipal Court caseload, for Mediation Program operations, and for the survey conducted on Program participants.

A. CLEVELAND MUNICIPAL COURT CASELOAD

Following is a description of the specific procedures utilized to collect information on the Court's criminal caseload during the report period.

Sample Selection

From May 1, 1982 through December 31, 1982, the Cleveland Municipal Court assigned criminal case numbers from 10,260 through 28,123 to the 17,863 criminal case records it processed for that time period. From January 1, 1983 through April 30, 1983, criminal case numbers from 1 through 7,156 were assigned to the 7,156 criminal case records the Court processed for that time period. This resulted in a total of 25,019 criminal cases handled by the Court from May 1, 1982 through April 30, 1983.* A random sample of 2,146 unique case numbers was generated as the basis for data collection. This represented a 8.58 per cent random sample of case numbers assigned to criminal records in the Clerk's Office.

*The total time period originally designated for data collection of Court records was from January 1, 1982 through April 30, 1983 which represented 16 months of the Court's caseload. However, in order to accurately compare data collected on operations of the Mediation Program, the Court data was reduced to a twelve month period (from May 1, 1982 through April 30, 1983) which corresponded to the same time period in which data on Program operations was collected.

Multiple charge cases increased the actual number of records in the sample to 2,259. In multiple charge cases, several charges which stemmed from one incident, were consolidated under one case number. As these changes often resulted in final dispositions, it was necessary to analyze each charge as a separate case. As a result, the total number of case records in the system was estimated at 26,431.

The types of cases contained in the Court records included felony and misdemeanor cases signed by private citizens or police or representatives of public agencies, businesses, or other organizations, as well as bench warrants, and traffic violations. In addition, there were some case numbers not assigned to case files, and some case numbers assigned to files which were incomplete or could not be located.

The 2,146 case number sample size was required so that the number of cases signed by private citizens included in the analysis would be significant. The result was a larger than necessary sample of cases signed by the police and other agencies. To reduce the data collection effort required while maintaining the integrity of the sample, the decision was made to collect data for all private cases, but for only one-third of the non-private cases.

Data Collection and Preparation

In January, 1983, Cincinnati Institute of Justice staff worked with personnel from the Prosecutor's Office to update the data collection form (Attachment 18) and instructions, and arrange for the hiring and training of data collectors.

The data collection form was originally designed to compile detailed information on cases signed by private individuals and by police and other agencies as well as the more limited information needed to categorize other cases. The original form was updated to reflect other Court information and terminology.

Data collection instructions were updated to reflect the time period studied as well as minor editorial changes. Copies of these instructions are available from the Cincinnati Institute of Justice.

Data collectors were trained in mid-February, 1983. Data collection for 1982 cases took place between February 24 and March 19, 1983; collection for 1983 cases took place between June 13 and July 20, 1983.

The data was then prepared for analysis by Institute staff in the following manner:

1. First, information recorded on data collection forms was keypunched and stored on computer tape.
2. Second, data was edited for completeness and accuracy, and the Prosecutor's staff collected additional information as was needed from the Clerk's Office in Cleveland.
3. Third, an SPSS system file was created at the University of Cincinnati's Computer Center to be used as the data base for this analysis.

Data Analysis

Data was analyzed, using the same programming format and weighting factor calculation as was used in the baseline year. Following are descriptions of the weighting factor calculation and major data analysis procedures.

1. Weighting Factor Calculation

To convert the data collected in the sample to approximate the 1982-83 criminal caseload, the original sample size of 8.58 per cent was divided into 100 which resulted in a weight factor of 11.7. Case records in all sample categories were therefore multiplied by 11.7 to estimate the number of records in the actual caseload.

Prior to the final case weighting, an adjustment was made for the disproportionate sampling of cases signed by police and other agencies. While 1,518 cases were found in the sample, detailed information was collected for 506, or every third case. This made it necessary to weight these cases by three before weighting the entire sample. (Table IV-A)

TABLE IV-A

ESTIMATED TOTAL CASELOADCLEVELAND MUNICIPAL COURT

	Report Period: Number of Sample Cases	Weighting Factor	Estimated Total Caseload	Baseline Period: Number of Sample Cases	Weighting Factor	Estimated Total Caseload
Private Cases	398	11.7	4,657	571	12	6,852
Non-Private Cases	1,518*	11.7	17,761	1,368*	12	16,416
Other Case Records	343	11.7	4,013	1,126	12	13,512
TOTAL, ESTIMATED CASELOAD	2,259		26,431**	3,065		36,780**

*Because of the disproportionate sampling of cases signed by police and other agencies, 506 actual cases were collected for this category and were weighted by a factor of three prior to the overall case weighting shown above.

**These figures include criminal and traffic bench warrants. See Table I-A, Section I for further explanation of the exclusion of these cases from the Court's criminal caseload.

2. Major Data Analysis Procedures

The following major analysis procedures were followed:

- a. Case disposition information was collected and analyzed for misdemeanor charges only. Most felony cases were transferred to higher courts prior to disposition, taking them out of the jurisdiction of the Chief Police Prosecutor and of the Municipal Court. Accurate disposition information for felony cases was therefore not available from Municipal Court records.
- b. Charges for the violation of specific State laws or City ordinances were grouped into nine felony and nineteen misdemeanor categories to allow for a concise description of the caseload. (Attachment 19)
- c. Court appearance information collected included data from the initial appearance scheduled for each defendant through the last recorded appearance, or the appearance at which sentence was passed. Information on any appearances after sentencing was not collected. Such appearances might involve stays of sentence to pay court fines or motions to mitigate sentence.
- d. Data reported in statistical tables was adjusted for information unavailable from court records.

B. OPERATIONS OF MEDIATION PROGRAM

Following are descriptions of the sample selection, data collection and preparation, and data analysis procedures used to complete the study of the operations of Mediation Program during the report period.

Sample Selection

From June 1, 1982 through May, 1983, the Cleveland Mediation Program's intake component processed 13,659 cases. A random sample of 1,225 unique case numbers, which represented an 8.97 per cent sample of cases, was generated as the basis for data collection.

Program cases did not have their own individual case numbers originally assigned to them. In order to sample cases, it was necessary to hand-count and match each case to each unique random number. For example, if the first random number was 10, the data collector would count ten case files and collect information on the tenth case.

The type of cases contained in Program files were mostly misdemeanor disputes between private citizens. There were also some felony and civil cases which the Program screened and processed.

Data Collection and Preparation

During March and April, 1983, Cincinnati Institute of Justice staff worked with staff from the Prosecutor's Office and the Mediation Program to design a data collection form (Attachment 20), develop data collection instructions and arrange for the hiring and training of data collectors.

The data collection form was designed to compile detailed information on cases handled by the Program. This information was collected from the Program's Complaint Form (Attachment 21) and included intake and hearing dispositions, follow-up activities and demographic characteristics of both the complainant and respondent. (Note: In cases involving more than one complainant and/or respondent, data was only collected on those individuals who were designated as the primary disputants on the Complaint Form).

Data collection instructions were written to include instructions on how to locate and classify a case, and instructions on how to code the information on the data collection form. Copies of these instructions are available from the Cincinnati Institute of Justice.

Data collectors were trained on May 10 and 11, 1983, and collection for 1982 cases took place between May 10 and June 13, 1983. Collection for 1983 cases took place between August 1 and 17, 1983.

Institute staff then prepared the data for analysis in the following manner:

- Information recorded on data collection forms was keypunched and stored on computer tape.
- Data was then edited for completeness and accuracy and the Prosecutor and Mediation staff collected and/or clarified additional information as needed.
- Following data corrections, an SPSS system file was created at the University of Cincinnati Computer Center to be used as the data base for the analysis.

Data Analysis

Following are descriptions of the weighting factor calculation used to convert the data in the sample to the 1982-83 program caseload, and of major analysis procedures regarding the data collected.

1. Weight Factor Calculation

In order to convert the sample collected to approximate the 1982-83 program caseload, the original sample size of 8.97 per cent was divided into 100 which resulted in a weight factor of 11.15. Case records in all sample categories were multiplied by 11.15 to represent the actual caseload.

2. Major Data Analysis Procedures

- a. To provide a more concise description of the program caseload, the following procedures were developed:
 - 1) Specific complaint charges were grouped into 16 charge categories (Attachment 22).
 - 2) Complainant and respondent street addresses were converted into 35 city and 66 suburban neighborhoods as defined by the City of Cleveland's Planning Commission. City neighborhoods were further grouped into five major geographical areas (Attachment 23).

- b. To prevent the double counting of program records in cases where more than one disposition category or agency referral type was collected, special variables were created which counted multiple dispositions in terms of individual cases.
- c. Data reported in statistical tables was adjusted for information unavailable from Program records.

C. MEDIATION PROGRAM PARTICIPANT SURVEY

Following are descriptions of the sample selection and data collection, preparation, and analysis procedures used to complete the participant survey during the report period.

Sample Selection

Data used for the survey conducted on Mediation Program participants was obtained from telephone interviews conducted on July 7 through July 29, 1983 with three groups of individuals:

1. Complainants who had participated in a hearing during February and March, 1983;
2. Respondents who had participated in a hearing during the same time period; and
3. Complainants who were scheduled for a hearing during February and March, but who did not appear for the hearing.

February and March were chosen because these months had the highest amount of hearings scheduled during the first half of 1983 and, therefore, could provide a substantial population from which to draw a sample.

One hundred of the 802 individuals (12 per cent) who had participated in 401 hearings during February and March, and 30 of the 199 individuals (15 per cent), who did not appear at their scheduled hearing, were randomly selected using the following method:

1. First, complainants and respondents with hearings were selected from Program docket sheets by alternately selecting either the complainant or respondent from two-thirds of the total number of hearings so no two individuals in the sample would have participated in the same hearing. In addition, every complainant who failed to appear at their scheduled hearing was selected from Program docket sheets.
2. Second, individuals in the sample with telephones were identified. This process reduced the sample size to 524.
3. Third, telephone calls were made to those individuals with telephones. A log sheet was kept of each interview, documenting each contact with a participant (see Attachment 24, Page 2). If the person could not be contacted on the first attempt, four additional attempts were made to try and reach them. If contact still could not be made after five attempts, the interviewer stopped trying to reach them, set aside the questionnaire, and went on to another interview. Interviews continued until 50 complainants and 50 respondents who had participated in a hearing, and 30 complainants who did not show up for hearing, had been surveyed.

Data Collection, Preparation and Analysis

During June and July, 1983, Cincinnati Institute of Justice staff worked with staff from the Prosecutor's Office and the Mediation Program to design a participant survey questionnaire (Attachment 24*) and arrange for the hiring and training of interviewers.

*Attachment 24 only includes a copy of the questionnaire given to complainants who participated in hearings. As the questionnaires given to the other two sample groups were very similar in content, they were not included in this report. However, copies of these questionnaires may be obtained from the Cincinnati Institute of Justice.

The questionnaire was designed to assess participants' feelings and attitudes towards the Program. Individual questions were developed for the three sample groups of participants and included questions on how satisfied individuals were with services received, how helpful they felt the Program had been in helping them resolve their dispute, how well they felt they were treated by Program staff, and demographic information. Each questionnaire was also assigned a survey number for easy identification.

Interviewers were trained in July, 1983 and interviews took place between July 18 and 29, 1983.

Institute staff then prepared and analyzed the data in the following manner:

1. Information recorded on each sample group's questionnaires was transferred by hand to grids in order to organize all participants' answers according to the corresponding question and the specific survey number.
2. Data from the grids was then hand-tabulated and transferred to master questionnaires for each sample group and edited for completeness.
3. Survey questions for all three sample groups were then grouped into five categories, including Satisfaction (with hearing, agreement and mediator); Helpfulness (with hearing, agreement and mediator); Treatment by Staff; Program Information Given Before and During the Hearing; and Demographic Information.
4. Statistical tables were then developed on every question within each category for each sample group in order to compare answers given by participants in each group. The data in these tables was adjusted for information unavailable from the questionnaires.

APPENDIX A:

ATTACHMENTS TO REPORT ON
STATISTICAL ANALYSES AND PROGRAM OPERATIONS

ATTACHMENT 1

TYPES OF COMPLAINTS HANDLED BY PROGRAM INTAKE

<u>Complaint Categories</u>	<u>Number of Cases</u>	<u>Per Cent Adjusted for Cases With No Formal Complaint</u>
<u>1. Assault/Menacing</u>		
Assault	2,731	22%
Menacing	1,895	16%
Aggravated Menacing	714	6%
Felonious Assault	279	3%
Aggravated Assault	45	--
Sub-Total, Assault/Menacing	5,664	47%
<u>2. Offenses Against the Family</u>		
Domestic Violence	1,863	16%
Interference with Custody	145	1%
Child Stealing	78	1%
Endangering Children	44	--
Non-Support Children	33	--
Sub-Total, Offenses Against the Family	2,163	18%
<u>3. Theft/Burglary/Robbery</u>		
Theft	725	7%
Petty Theft	725	7%
Criminal Trespass	156	1%
Burglary	111	1%
Robbery	45	--
Unauthorized Use of Property	45	--
Aggravated Robbery	22	--
Unauthorized Use of Vehicle	22	--
Breaking and Entering	22	--
Aggravated Burglary	11	--
Embezzlement	11	--
Sub-Total, Theft/Burglary/Robbery	1,895	16%

ATTACHMENT 1

TYPES OF COMPLAINTS HANDLED BY PROGRAM INTAKE

<u>Complaint Categories</u>	<u>Number of Cases</u>	<u>Per Cent Adjusted for Cases With No Formal Complaint</u>
4. <u>Mischief/Damaging</u>		
Criminal Damaging	1,160	10%
Vandalism	22	--
Sub-Total, Mischief/Damaging	1,182	10%
5. <u>Other Misdemeanors</u>		
Telephone Harassment	413	3%
Dog Violations	78	1%
Animal Cruelty	22	--
Bigamy	11	--
Sub-Total, Other Misdemeanors	524	4%
6. <u>Fraud/Deception</u>		
Passing Bad Checks	157	2%
Forgery	100	1%
Defrauding a Livery	22	--
Mail Tampering	22	--
Tampering with Records	11	--
Sub-Total, Fraud/Deception	312	3%
7. <u>Disorderly Conduct/Intoxication</u>		
Disorderly Conduct	134	1%
Sub-Total, Disorderly Conduct/ Intoxication	134	1%
8. <u>Civil Matters</u>		
Landlord/Tenant Disputes	79	1%
Breach of Contract	22	--
Domestic Relations	22	--
Sub-Total, Civil Matters	123	1%

ATTACHMENT 1

TYPES OF COMPLAINTS HANDLED BY PROGRAM INTAKE

<u>Complaint Categories</u>	<u>Number of Cases</u>	<u>Per Cent Adjusted for Cases With No Formal Complaint</u>
9. <u>Other Felonies</u>		
Kidnapping	45	--
Abduction	22	--
Arson	22	--
Sub-Total, Other Felonies	89	--
10. <u>Sex Offenses</u>		
Public Indecency	23	--
Importuning	11	--
Gross Sexual Imposition	11	--
Sub-Total, Sex Offenses	45	--
11. <u>Traffic Offenses</u>		
Leaving Scene of Accident	11	--
Sub-Total, Traffic Offenses	11	--
12. <u>Weapons Violation</u>		
Discharging Firearms	11	--
Sub-Total, Weapons Violation	11	--
13. <u>License Violations</u>		
Operating Beauty Salon Without License	11	--
Sub-Total, License Violations	11	--
14. <u>Other Offenses Against Justice</u>		
Impersonating an Officer	11	--
Sub-Total, Other Offenses Against Justice	11	--
15. <u>Cases With No Formal Complaint Made Through the Program</u>	1,484	N/A
Sub-Total, Cases With No Formal Complaint	1,484	N/A
TOTAL, TYPES OF COMPLAINTS HANDLED BY PROGRAM INTAKE	13,659	100%

ATTACHMENT 2

REASON FOR DISMISSAL IN PRIVATE MISDEMEANOR CASES

-38-

	<u>Report Period</u>	<u>Percentage of Private Misdemeanors Dismissed</u>	<u>Baseline Period</u>	<u>Percentage of Private Misdemeanors Dismissed</u>
Want of Prosecution	211	42%	852	59%
Prosecutor's Nolle	164	33%	264	18%
Selective Intervention Program	47	9%	276	19%
Other (Defendant's Motion for Acquittal)	81	16%	48	4%
	—	—	—	—
TOTAL, PRIVATE MISDEMEANOR CASES DISMISSED	503	100%	1,440	100%

ATTACHMENT 3

PENALTIES ASSESSED IN PRIVATE MISDEMEANOR CASES

<u>Penalty Description</u>	<u>Report Period</u>	<u>Percentage of of Private Misdemeanors with Convictions</u>	<u>Baseline Period</u>	<u>Percentage of Private Misdemeanors with Convictions</u>
1. Penalties Involving Incarceration				
Sentence Only	12	3%	24	2%
Sentence and Probation	35	9%	36	4%
Sentence and Fine or Costs	-0-	-0-	72	8%
Sentence & Probation & Fine or Costs	23	5%	72	8%
Sub-Total, Incarceration	70	17%	204	22%
2. Penalties Not Involving Incarceration				
Fine Only	-0-	-0-	36	4%
Costs Only	82	21%	12	1%
Probation Only	82	21%	288	31%
Fine and Costs	-0-	-0-	48	5%
Fine or Costs and Probation	70	17%	276	30%
Sub-Total, Without Incarceration	234	59%	660	71%
3. No Penalties/All Penalties Suspended	94	24%	60	7%
Sub-Total, No Penalties/All Penalties Suspended	94	24%	60	7%
TOTAL, PRIVATE MISDEMEANOR CASES WITH CONVICTIONS	398	100%	924	100%

ATTACHMENT 4

COURT APPEARANCES

PRIVATE MISDEMEANOR CASES

	Report Period	Percentage of Private Misdemeanors	Baseline Period	Percentage of Private Misdemeanors
Court Appearances	1,088	74%	2,556	80%
No Court Appearances	386	26%	636	20%
TOTAL, PRIVATE MISDEMEANOR CASES	1,474	100%	3,192	100%

ATTACHMENT 5

NUMBER OF COURT APPEARANCES

PRIVATE MISDEMEANOR CASES

<u>Court Appearances</u>	<u>Period</u>	<u>Percentage of Private Misdemeanors With Court Appearances</u>	<u>Baseline Period</u>	<u>Percentage of Private Misdemeanors With Court Appearances</u>
1	70	6%	336	13%
2	433	40%	900	36%
3	316	29%	588	23%
4	140	13%	384	15%
5	82	8%	120	5%
6	12	1%	156	6%
7	12	1%	36	1%
8 and Over	23	2%	36	1%
TOTAL, PRIVATE MISDEMEANOR CASES WITH COURT APPEARANCES	1,088	100%	2,556	100%

Average = 2.2 Appearances

Average = 2.9 Appearances

ATTACHMENT 6

DAYS FROM COMPLAINT FILING TO LAST RECORDED COURT APPEARANCE

PRIVATE MISDEMEANOR CASES

<u>Days</u>	<u>Report Period</u>	<u>Percentage of Private Misdemeanors</u>	<u>Cumulative Percentage</u>	<u>Baseline Period</u>	<u>Percentage of Private Misdemeanors</u>	<u>Cumulative Percentage</u>
Same Day	23	2%	2%	36	1%	1%
1	12	1%	3%	60	2%	3%
2	-0-	-0-	3%	24	1%	4%
3	-0-	-0-	3%	12	1%	5%
4-7	35	3%	6%	48	2%	7%
8-14	58	5%	11%	156	6%	13%
15-21	47	4%	15%	288	11%	24%
22-31	175	16%	31%	288	11%	35%
32-90	434	41%	72%	780	31%	66%
91-180	257	24%	96%	564	22%	88%
181-365	35	3%	99%	216	9%	97%
Over One Year	12	1%	100%	84	3%	100%
<hr/>				<hr/>		
TOTAL, PRIVATE MISDEMEANOR CASES WITH COURT APPEARANCES	1,088	100%	100%	2,556	100%	100%

Median = 54 Days

Mean = 71 Days

Median = 58 Days

Mean = 105 Days

ATTACHMENT 7

REASONS FOR COURT APPEARANCES SCHEDULED AFTER THE INITIAL APPEARANCE

PRIVATE MISDEMEANOR CASES

	Report Period: Number of Appearances Scheduled	Percentage of Total Appearances Scheduled for Private Misdemeanors	Baseline Period: Number of Appearances Scheduled	Percentage of Total Appearances Scheduled for Private Misdemeanors
Procedural*	1,615	66%	3,276	65%
Waiver of Statutory Period	206	8%	144	3%
Prosecutor's Request	176	7%	120	2%
Defendant Request	163	7%	600	12%
Referral to Selective Intervention Program	163	7%	444	9%
Defendant Failure to Appear	118	5%	480	9%
Referred to Mediation Program	12	-	-0-	-0-
TOTAL, PRIVATE MISDEMEANOR APPEARANCES FOLLOWING INITIAL APPEARANCE	2,453	100%	5,064	100%

*Includes all appearances for which other specific reasons identified in this table were not recorded. For example, appearances scheduled for procedural reasons included routine setting of cases for trial following the initial appearance.

ATTACHMENT 8

CLEVELAND PROSECUTOR MEDIATION PROGRAM
Justice Center - Court Towers, 8th Floor
664-4800

ANSWERS TO QUESTIONS YOU MAY HAVE ABOUT THE HEARING

- WHY HAS THE CLEVELAND PROSECUTOR'S OFFICE SCHEDULED THIS CASE FOR A MEDIATION HEARING?

To give you a chance to work out an out-of-court settlement of your criminal dispute.

- WHAT HAPPENS IN A MEDIATION HEARING?

A mediator gives you and the other party each a chance to tell your side of the story; and then helps you work out a settlement that is acceptable to both of you.

- WHAT IS A SETTLEMENT?

That's up to you. Settlements can be payment of damages, agreements not to see each other, return of property, or whatever else you and the other party agree on.

- WHAT IF WE CAN'T AGREE ON A SETTLEMENT?

The mediator or a prosecutor will discuss with you and the other party what other options you have for solving the problem.

- WHAT SHOULD I BRING TO THE HEARING?

If you have them, you should bring:

- Any bills or receipts relating to the dispute.
- Photos of any injuries or damages.

You do not need to bring any witnesses or an attorney. This is an out-of-court hearing.

- WILL WHAT I SAY IN THE HEARING BE USED AGAINST ME IN COURT?

No. Whatever you say during the course of a hearing is confidential, and the Prosecutor's Office will not use it in Court.

ATTACHMENT 9

CLEVELAND PROSECUTOR'S OFFICE
MEDIATION PROGRAM
COMPLAINANT NOTICE

You are scheduled to appear for a mediation hearing on

_____, at _____
Day Date Time

☐ morning ☐ evening, in the Cleveland Prosecutor's Office,
Justice Center, 8th Floor, 1200 Ontario Street, regarding a charge
made by you against _____.



Revised 5/82

Intake Officer
664-4800

ATTACHMENT 10

PARTICIPANT PROFILE

CLEVELAND PROSECUTOR'S MEDIATION PROGRAM

SEX

	COMPLAINANTS		RESPONDENTS		TOTAL NO. OF CLIENTS * IN PROGRAM RECORDS	
	#	%	#	%	#	%
Male	4,404	37	8,262	79	12,666	56
Female	7,570	63	2,185	21	9,755	44
Information Not In Records	1,685	N/A	3,212	N/A	4,897	N/A
TOTAL, PROGRAM CASELOAD	13,659	100%	13,659	100%	27,318	100%

AGE

	COMPLAINANTS		RESPONDENTS		TOTAL NO. OF CLIENTS IN PROGRAM RECORDS	
	#	%	#	%	#	%
Below 16 yrs.	33	-	33	-	66	-
16-19 years	646	6	836	9	1,482	8
20-25 years	2,788	27	2,654	29	5,442	28
26-35 years	3,232	31	3,300	36	6,532	33
36-45 years	1,706	16	1,226	14	2,932	15
45 +	2,049	20	1,092	12	3,141	16
Information Not In Records	3,205	N/A	4,518	N/A	7,723	N/A
TOTAL, PROGRAM CASELOAD	13,659	100%	13,659	100%	27,318	100%

Average Age of
Complainant = 34 years

Average Age of
Respondent = 31 years

*The total number of program clients reported in this study includes only those individuals designated as the primary case disputants on the Program's Complaint Form. Consequently, the total number of clients in program records may be assumed to be higher than the figures stated in these tables.

ATTACHMENT 10 (Cont'd.)

PARTICIPANT PROFILE

CLEVELAND PROSECUTOR'S MEDIATION PROGRAM

RACE

	COMPLAINANTS		RESPONDENTS		TOTAL NO. OF CLIENTS IN PROGRAM RECORDS	
	#	%	#	%	#	%
Black	6,812	61	5,932	62	12,744	61
White	4,081	36	3,267	34	7,348	35
Hispanic	245	2	290	3	535	3
Other	56	1	33	1	89	1
Information Not In Records	2,465	N/A	4,137	N/A	6,602	N/A
TOTAL, PROGRAM CASELOAD	13,659	100%	13,659	100%	27,318	100%

ATTACHMENT 11

RELATIONSHIPS BETWEEN COMPLAINANTS/RESPONDENTS

<u>Relationship Categories</u>	<u>Number of Cases</u>	<u>% of Caseload</u>
Marital/Quasi-Marital (includes spouse, ex-spouse living together, boy- girlfriend, and ex-boy- girlfriend)	4,828	40
Friend/Neighbor	2,364	20
Other (majority: 3rd party relationships)	1,628	13
Immediate/Extended Family (includes parent/child, sibling, other relative)	1,215	10
Not Acquainted	1,070	9
Landlord-Tenant	747	6
Work-Related (includes employer-employee; employees)	245	2
Information Not in Records	1,562	N/A
TOTAL	13,659	100%

ATTACHMENT 12

COMPLAINANT NEIGHBORHOODS

<u>Neighborhoods</u>	<u>Number of Complainants</u>	<u>% of Caseload</u>
<u>CENTRAL NEIGHBORHOODS</u>		
*(3) Central	658	5
(8) Goodrich/Kirtland Park	145	1
(15) Downtown	100	1
(25) Industrial Valley	22	-
Sub-Total, Central Neighborhoods	925	7%
<u>WESTERN NEIGHBORHOODS</u>		
(7) Detroit Shoreway/Near Westside	669	5
(23) Ohio City/Near Westside	513	4
(4) Clark/Fulton	401	3
(34) West Boulevard	312	3
(6) Cudell	279	2
(24) Old Brooklyn	279	2
(31) Tremont	256	2
(1) Archwood-Denison	201	2
(9) Edgewater	134	1
Sub-Total, Western Neighborhoods	3,044	24%
<u>SOUTHWESTERN NEIGHBORHOODS</u>		
(16) Jefferson	212	2
(26) Puritas-Longmead	212	2
(27) Riverside	145	1
(17) Kamms Corner	67	-
Sub-Total, Southwestern Neighborhoods	636	5%

*These numbers represent distinct geographical neighborhoods as defined by the Cleveland City Planning Commission. See Appendix B, Attachment 23.

ATTACHMENT 12 (Cont'd.)
COMPLAINANT NEIGHBORHOODS

<u>Neighborhoods</u>	<u>Number of Complainants</u>	<u>% of Caseload</u>
<u>SOUTHEASTERN NEIGHBORHOODS</u>		
(35) Woodland Hills	635	5
(20) Mt. Pleasant	502	4
(11) Fairfax	468	4
(5) Corlett	457	3
(32) Union-Mills Park	435	3
(19) Lee-Miles	334	3
(18) Kinsman	301	2
(29) South Broadway	245	2
(2) Buckeye-Shaker	234	2
(21) North Broadway	145	1
(33) University	134	1
Sub-Total, Southeastern Neighborhoods	3,890	30%
<u>NORTHEASTERN NEIGHBORHOODS</u>		
(14) Hough	881	7
(13) Glenville	803	6
(12) Forest Hills	580	4
(30) South Collinwood	446	3
(28) St. Clair-Superior	346	3
(22) North Collinwood	223	2
(10) Euclid-Green	78	1
Sub-Total, Northeastern Neighborhoods	3,357	26%
<u>SUBURBAN NEIGHBORHOODS</u>		
Information Not in Records	714	N/A
TOTAL, COMPLAINANT NEIGHBORHOODS	13,659	100%

ATTACHMENT 12
(Cont'd.)

<u>RESPONDENT NEIGHBORHOODS</u>		
<u>Neighborhoods</u>	<u>Number of Respondents</u>	<u>% of Caseload</u>
<u>CENTRAL NEIGHBORHOODS</u>		
*(3) Central	502	4
(15) Downtown	178	2
(8) Goodrich/Kirtland Park	156	1
(25) Industrial Valley	11	-
Sub-Total, Central Neighborhoods	847	7%
<u>WESTERN NEIGHBORHOODS</u>		
(7) Detroit Shoreway/Near Westside	725	7
(4) Clark/Fulton	413	4
(23) Ohio City/Near Westside	334	3
(6) Cudell	279	2
(24) Old Brooklyn	256	2
(1) Archwood-Denison	190	2
(34) West Boulevard	178	2
(31) Tremont	167	1
(9) Edgewater	123	1
Sub-Total, Western Neighborhoods	2,665	24%
<u>SOUTHWESTERN NEIGHBORHOODS</u>		
(16) Jefferson	245	2
(26) Puritas-Longmead	134	1
(27) Riverside	111	1
(17) Kamms Corner	78	1
Sub-Total, Southwestern Neighborhoods	568	5%

*These numbers represent distinct geographical neighborhoods as defined by the Cleveland City Planning Commission. See Appendix B, Attachment 23.

ATTACHMENT 12 (Cont'd.)

RESPONDENT NEIGHBORHOODS

<u>Neighborhoods</u>	<u>Number of Respondents</u>	<u>% of Caseload</u>
<u>SOUTHEASTERN NEIGHBORHOODS</u>		
(20) Mt. Pleasant	513	5
(11) Fairfax	468	4
(35) Woodland Hills	446	4
(32) Union-Mills Park	446	4
(5) Corlett	379	3
(19) Kinsman	357	3
(19) Lee-Miles	256	2
(2) Buckeye-Shaker	245	2
(20) South Broadway	190	2
(21) North Broadway	100	1
(33) University	56	-
Sub-Total, Southeastern Neighborhoods	3,456	30%
<u>NORTHEASTERN NEIGHBORHOODS</u>		
(14) Hough	780	7
(13) Glenville	680	6
(12) Forest Hills	368	3
(30) South Collinwood	346	3
(28) St. Clair-Superior	290	3
(22) North Collinwood	167	2
(10) Euclid-Green	67	1
Sub-Total, Northeastern Neighborhoods	2,698	25%
Sub-Total, City Neighborhoods	10,234	91%
<u>SUBURBAN NEIGHBORHOODS</u>	1,072	9%
Information Not in Records	2,353	N/A
TOTAL, RESPONDENT NEIGHBORHOODS	13,659	100%

ATTACHMENT 13

PARTICIPANT SURVEY RESULTS

HELPFULNESS OF/SATISFACTION WITH HEARING PROCESS

Do you think the time spent at the hearing was: very worthwhile, worthwhile, or not worthwhile?

<u>Response</u>	<u>Complainants</u>		<u>Respondents</u>		<u>Total</u>	
	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
a. Very Worthwhile	10	21%	10	20%	20	20%
b. Worthwhile	27	55%	31	62%	58	59%
c. Not Worthwhile	11	22%	9	18%	20	20%
d. DK	1	2%	-	-	1	1%
e. Information Not Available	1	N/A	-	-	1	N/A
TOTAL	50	100%	50	100%	100	100%

In general, how helpful was the hearing itself in solving the problem that led to you making the complaint? Was it: very helpful, somewhat helpful, or not helpful at all?

<u>Response</u>	<u>Complainants</u>		<u>Respondents</u>		<u>Total</u>	
	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
a. Very Helpful	17	35%	20	40%	37	37%
b. Somewhat Helpful	17	35%	19	38%	36	36%
c. Not Helpful at All	15	30%	11	22%	26	27%
d. DK	-	-	-	-	-	-
e. Information Not Available	1	N/A	-	-	1	N/A
TOTAL	50	100%	50	100%	100	100%

ATTACHMENT 13 (Cont'd.)

If a similar problem came up in the future, would you rather go through a hearing first, go straight to court, or do something else?

Response	Complainants		Respondents		Total	
	#	%	#	%	#	%
a. Hearing First	27	58%	39	78%	66	68%
b. Court	15	32%	5	10%	20	21%
c. Something Else	2	4%	2	4%	4	4%
d. DK	3	6%	4	8%	7	7%
e. Information Not Available	3	N/A	-	-	3	N/A
TOTAL	50	100%	50	100%	100	100%

ATTACHMENT 14

HELPLEFULNESS OF/SATISFACTION WITH SOLUTION REACHED IN HEARING

Did the solution help solve the problem for the time being?

Response	Complainants		Respondents		Total	
	#	%	#	%	#	%
a. Yes	30	77%	40	93%	70	85%
b. No	9	23%	3	7%	12	15%
c. DK	-	-	-	-	-	-
TOTAL	39	100%	43	100%	82	100%

Has this problem come up again?

Response	Complainants		Respondents		Total	
	#	%	#	%	#	%
a. Yes	16	41%	6	14%	22	27%
b. No	23	59%	36	84%	59	72%
c. DK	-	-	1	2%	1	1%
TOTAL	39	100%	43	100%	82	100%

ATTACHMENT 14 (Cont'd.)

How satisfied were you with the solution reached in the hearing: very satisfied, satisfied or not satisfied?

Response	Complainants		Respondents		Total	
	#	%	#	%	#	%
a. Very Satisfied	13	33%	19	44%	32	39%
b. Satisfied	19	49%	19	44%	38	46%
c. Not Satisfied	7	18%	4	10%	11	14%
d. DK	-	-	1	2%	1	1%
TOTAL	39	100%	43	100%	82	100%

Do you think the solution between you and _____ was fair or unfair to your side of the argument?

Response	Complainants		Respondents		Total	
	#	%	#	%	#	%
a. Fair	31	79%	37	86%	68	83%
b. Unfair	5	13%	5	12%	10	12%
c. DK	3	8%	1	2%	4	5%
TOTAL	39	100%	43	100%	82	100%

ATTACHMENT 15

MEDIATOR IMPARTIALITY; TREATMENT BY STAFF

Did the mediator seem fair to both sides in the hearing, or did the mediator favor one side over the other?

Response	Complainants		Respondents		Total	
	#	%	#	%	#	%
a. Fair	47	94%	45	90%	92	92%
b. Favor One Side	3	6%	4	8%	7	7%
c. DK	-	-	1	2%	1	1%
TOTAL	50	100%	50	100%	100	100%

How satisfied were you in general with the way people treated you when you came down to the Prosecutor's Office for the hearing? Were you: very satisfied, satisfied, or not satisfied?

Response	Complainants		Respondents		Total	
	#	%	#	%	#	%
a. Very Satisfied	24	48%	36	72%	60	60%
b. Satisfied	23	46%	13	26%	36	36%
c. Not Satisfied	3	6%	1	2%	4	4%
d. DK	-	-	-	-	-	-
TOTAL	50	100%	50	100%	100	100%

ATTACHMENT 16

REASONS FOR COMPLAINANTS' FAILURE

TO APPEAR AT SCHEDULED HEARINGS

Although your hearing was scheduled for _____, you
(month, year)
didn't go to it. Could you tell me why you didn't go?

<u>Response</u>	<u>Complainant NS</u>		<u>Total</u>	
	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
a. Thought respondent wouldn't show up*	8	28%	8	28%
b. Illness*	7	25%	7	25%
c. Didn't think Program would do any good	4	14%	4	14%
d. Hearing time inconvenient	3	10%	3	10%
e. Forgot about hearing	1	4%	1	4%
f. No available transportation	1	4%	1	4%
g. Problem resolved prior to hearing	1	4%	1	4%
h. Other (complainant claimed hearing took place)	1	4%	1	4%
i. Not upset about problem anymore	-	-	-	-
j. Thought you were getting the runaround	-	-	-	-
k. Had been to Program before and didn't like it	-	-	-	-
l. DK	2	7%	2	7%
m. Information Not Available	2	N/A	2	N/A
	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL	30	100%	30	100%

*These two categories were originally part of "Other," but have been separated out for easier reference.

ATTACHMENT 17

ADDITIONAL DESCRIPTIONS OF PROGRAM PARTICIPANTS

<u>EDUCATION</u>	<u>Complainants</u>		<u>Respondents</u>		<u>Complainants NS</u>		<u>Total</u>	
<u>Responses</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
a. None	-	-	-	-	-	-	-	-
b. 1-4 yrs.	-	-	-	-	-	-	-	-
c. 5-8 yrs.	5	10%	2	4%	-	-	7	5%
d. 9-11 yrs.	14	28%	16	32%	14	47%	44	34%
e. High School	19	38%	20	40%	8	27%	47	36%
f. Business/Technical	1	2%	-	-	1	3%	2	2%
g. 1-2 yrs. college	3	6%	10	20%	6	20%	19	14%
h. 2 yr. degree	1	2%	-	-	-	-	1	1%
i. 3-4 yrs. college	3	6%	1	2%	1	3%	5	4%
j. 4 yr. degree	3	6%	1	2%	-	-	4	3%
k. Graduate work	1	2%	-	-	-	-	1	1%
l. Graduate degree	-	-	-	-	-	-	-	-
m. DK	-	-	-	-	-	-	-	-
n. Refusal to answer	-	-	-	-	-	-	-	-
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL	50	100%	50	100%	30	100%	130	100%

ATTACHMENT 17 (Cont'd.)

ADDITIONAL DESCRIPTIONS OF PROGRAM PARTICIPANTS

<u>EDUCATION</u>	<u>Complainants</u>		<u>Respondents</u>		<u>Complainants NS</u>		<u>Total</u>	
<u>Response</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
a. Working	16	32%	13	26%	6	20%	35	27%
b. Looking for work	12	24%	12	24%	7	23%	31	24%
c. Unemployed	9	18%	9	18%	9	30%	27	21%
d. Retired	2	4%	1	2%	-	-	3	2%
e. Unable to work	1	2%	3	6%	2	7%	6	5%
f. Staying at home	6	12%	9	18%	4	13%	19	14%
g. Going to school	4	8%	3	6%	2	7%	9	7%
h. DK	-	-	-	-	-	-	-	-
i. Refusal to answer	-	-	-	-	-	-	-	-
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL	50	100%	50	100%	30	100%	130	100%

ATTACHMENT 17 (Cont'd.)

TYPE OF EMPLOYMENT

Responses	Complainants		Respondents		Complainants NS		Total	
	#	%	#	%	#	%	#	%
a. Semi/unskilled	6	37.50%	5	38%	2	33%	13	37%
b. Skilled	-	-	4	31%	2	33%	6	17%
c. Sales	1	6.25%	2	15%	1	17%	4	11%
d. Professional	2	12.50%	1	8%	1	17%	4	11%
e. Managerial	2	12.50%	1	8%	-	-	3	9%
f. Clerical	3	18.75%	-	-	-	-	3	9%
g. Technical	2	12.50%	-	-	-	-	2	6%
TOTAL	16	100.00%	13	100%	6	100%	35	100%

PUBLIC/OTHER ASSISTANCE

Responses	Complainants		Respondents		Complainants NS		Total	
	#	%	#	%	#	%	#	%
a. Public assistance	17	34%	21	42%	11	37%	49	38%
b. Retirement pension	1	2%	3	6%	1	3%	5	4%
c. Disability pension	4	8%	3	6%	3	10%	10	8%
d. Unemployment comp.	4	8%	2	4%	2	7%	8	6%
e. Other	3	6%	-	-	-	-	3	2%
f. DK	-	-	-	-	-	-	-	-
g. Refused to answer	1	2%	-	-	1	3%	2	1%
h. Received no public/ other assistance	20	40%	21	42%	12	40%	53	41%
TOTAL	50	100%	50	100%	30	100%	130	100%

APPENDIX B:

ATTACHMENTS TO REPORT ON METHODOLOGY

ATTACHMENT 18

CLEVELAND MUNICIPAL COURT
CRIMINAL CASELOAD STUDY

A. Case #82CR _____
Data Collector Initials: _____

B. Exclusions: 1 Bratenahl 2 Contempt of Court 3 No Papers 7 Other
4 Implied Consent 5 Traffic 6 Expungement _____

C. Complainant/Defendant/Witness:

Complainant: 1 Private Citizen 7 Park Police
2 Cleveland Police 8 Other Public Police Agencies
3 RTA 9 Other Government Agencies
4 CMHA 10 Other Non-Private Agencies
5 CSU Police 11 Other _____
6 UCPD

Complainant/Defendant Name	1 Same	2 Different
Complainant/Defendant Address	1 Same	2 Different
Complainant Sex	1 Male	2 Female 3 DK

Defendant: Defendant Sex 1 Male 2 Female 3 DK
Witness: # of Witnesses _____

D. Charges: How many charges under this case # _____ Record all information for each charge on a separate sheet.

Initial Charge:	Initial Charge Degree:	Amended Charge: (if applicable)
Section No. _____	1 M-1 4 M-4 2 M-2 5 MM 3 M-3 6 Felony	Section No. _____
Name (abbrev.) _____		

E. Date Complaint Filed: _____ / _____ / _____
Month Day Year

F. Court Appearances:

<u>Date</u>	<u>Docket</u>		<u>Outcome</u>							<u>Final</u>	
	Non-PD	PD	Court	Def.	Pros.	SIP	Capias	SPW	Disp.	Mediation	
	1	2	1	2	3	4	5	6	7	8	
	1	2	1	2	3	4	5	6	7	8	
	1	2	1	2	3	4	5	6	7	8	
	1	2	1	2	3	4	5	6	7	8	
	1	2	1	2	3	4	5	6	7	8	
	1	2	1	2	3	4	5	6	7	8	
	1	2	1	2	3	4	5	6	7	8	
	1	2	1	2	3	4	5	6	7	8	
	1	2	1	2	3	4	5	6	7	8	

Number of Appearances: _____ (If more than 8, check here and code on reverse side.) ☐

G. Current Status: (Misdemeanors Only)

1 G (Guilty) →	Fine: \$ _____ / \$ _____ Suspended
2 NG (Not Guilty)	Costs: 1 Yes 2 No 3 Suspended
3 Capias	Amount Paid: \$ _____ (If on front of complaint)
4 Dismissed	Sentence: _____ Days / _____ Suspended
5 Open	Probation: _____ Days
6 Warrant Never Served	
7 Warrant Withdrawn	
8 Common Pleas	
9 Other _____	
0 Payout Amount Paid: \$ _____	1 Nolle 4 Want of Speedy Trial 2 SIP/Nolle 5 Other _____ 3 DWOP

H. Other Information:

1 Plea Change from NG to G or NC.
2 Jury Trial
3 Summons

ATTACHMENT 19

ACTUAL CODE VIOLATIONS INCLUDED INCHARGE CATEGORIES - CLEVELAND MUNICIPAL COURT

CHARGE CATEGORY	CLEVELAND MUNICIPAL CODE	OHIO STATE REVISED CODE
FELONY		
1. Murder/Kidnapping/ Manslaughter		2903.01 to 2903.03 2905.01 2905.02
2. Assault		2903.11, 2903.12
3. Sex Assaults		2907.02, 2907.05
4. Burglary / Robbery		2911.01 to 2911.13
5. Theft/Fraud		2913.02 to 2913.41
6. Receiving Stolen Property		2913.51
7. Weapons		2923.12 to 2923.24
8. Drugs		2925.03 to 2925.23
9. Other Felonies	(All other felony violations)	
MISDEMEANOR		
1. Park Rules		1501.41, 1541.09
2. Weapons	627.02, 627.10 674.02	
3. Liquor Violations	617.02 to 617.09	4301.219 to 4399.09
4. Assaults/Menacing	609.04, 609.06 621.03, 621.06 621.07, 621.10 621.11	

ATTACHMENT 19

(Continued)

CHARGE CATEGORY	CLEVELAND MUNICIPAL CODE	OHIO STATE REVISED CODE
5. Dog Violations	603.02, 603.04	
6. Disorderly Conduct	605.03A	
7. Disorderly Conduct While Intoxicated	605.03B	
8. Curfew Violations	605.14	
9. Trespassing	559.53, 623.04	
10. Drug Violations	607.03 to 607.17	
11. Other Theft/Fraud	615.02, 615.15 625.03 625.06 to 625.40	2913.02, 2921.13
12. Resisting Arrest/ Assault on Police	615.80, 621.05	
13. Petty Theft	625.05	
14. Gambling	611.02, 611.03	
15. Domestic Violence		2919.25
16. Sex Assaults	619.04 to 619.07	
17. Soliciting	619.09	
18. Criminal Damaging	623.02, 623.03	
19. Other Misdemeanors	(All other misde- meanor violations)	

ATTACHMENT 20

CLEVELAND PROSECUTOR MEDIATION PROGRAM
PROGRAM CASELOAD STUDY

Data Collector Initials: _____

1. COMPLAINANT/RESPONDENT INFORMATION	
1	Complainant surname, first initial: _____
2-6	Card Number 1
7-10	a. Case Number
11	b. Compl./Neighborhood: _____
12-18	c. Compl./Telephone: 1. Yes 2. No
19	← Telephone Number
20	d. Compl./Race: 1. Wh 2. Bl 3. His 4. Other _____
21-22	e. Compl./Sex: 1. M 2. F
23	f. Compl./Age
24-27	g. Compl./Employed: 1. Yes 2. No 8. Unknown
28	h. Resp./Neighborhood: _____
29-35	i. Resp./Telephone: 1. Yes 2. No
36	← Telephone Number
37	j. Resp./Race: 1. Wh 2. Bl 3. His 4. Other: _____
38-39	k. Resp./Sex: 1. M 2. F
40	l. Resp./Age
41-42	m. Resp./Employed: 1. Yes 2. No 8. Unknown
2. GENERAL INTAKE	
43	a. Relationship:
44-49	1. Spouse 6. Parent/Child 11. Employer/Employee
50-53	2. Live as Spouse 7. Sibling 12. Employees
54	3. Ex-Spouse 8. Other Relative 13. Landlord/Tenant
55-59	4. Boy/Girlfriend 9. Friend 14. Not Acquainted
60	5. Ex-boy/Girlfriend 10. Neighbor 15. Other _____
61	b. Case Type: 1. Citizen 2. Police 3. Court Referral
62	4. Other: _____
63	c. Date of Offense
64	d. Time of Offense
65	1. A.M. 2. P.M.
66	e. Charge: _____
67	f. Incidence of: (Complainant)
	• Drugs 1. Yes 2. No
	• Alcohol 1. Yes 2. No
	• Weapons 1. Yes 2. No
	• Mental Illness 1. Yes 2. No
	g. Incidence of: (Respondent)
	• Drugs 1. Yes 2. No
	• Alcohol 1. Yes 2. No
	• Weapons 1. Yes 2. No
	• Mental Illness 1. Yes 2. No
3. INTAKE DISPOSITION	
68	a. Hearing Scheduled: 1. Yes
69	b. Agency Referral: 1. Yes
70	c. Agency Referral Type: Record 1 for each type of agency referral indicated.
71	Legal
72	Police
73	Small Claims Court
74	Eviction Court
75	Juvenile Court
76	Domestic Relations Court
77	Witness/Victim - Family Violence
78	Counseling
79	Emergency Assistance
	Other: _____

ATTACHMENT 20 (Cont'd.)

CLEVELAND MEDIATION/PROGRAM STUDY

2.

80	d. Duty Prosecutor Referral: 1. Yes
1	Card Number 2
2-6	Case Number
7	e. Duty Prosecutor Referral (reason):
	1. Physical Injury 2. Fear of Life 3. Felony
	4. Other: _____
8	f. Duty Prosecutor Disposition:
9	• Return for mediation: 1. Yes
10	• Warrant issued: 1. Yes
11	• Refer to police-felony: 1. Yes
12	• Civil matter: 1. Yes
	• Other: 1. _____
13	g. Other Disposition:
14	• No Show at Intake: 1. Yes
15	• No Respondent Address: 1. Yes
16	• No Valid Complaint: 1. Yes
17	• Other: 1. _____
18-20	h. No Intake Disposition 1. Yes
21-26	i. Intake Worker's Initials
27-30	j. Intake Date
31	k. Intake Time
	1. A.M. 2. P.M.
4. HEARING DISPOSITION	
32	a. Hearing Rescheduled: 1. Yes
33	b. Agency Referral/Complainant: 1. Yes
34	c. Agency Referral/Respondent: 1. Yes
35	d. Agency Referral/Both Parties: 1. Yes
36	e. Agency Referral Type:
37	Record 1 for each type of agency referral indicated.
38	Legal
39	Police
40	Small Claims Court
41	Eviction Court
42	Juvenile Court
43	Domestic Relations Court
44	Witness/Victim - Family Violence
45	Counseling
46	Emergency Assistance
	Other: _____
47	f. Final Disposition Type:
48-50	1. Warrant Issued 5. Comp. Withd/Resp. N/S
51-56	2. Comp. Withd/Sett. 6. Comp. Dropped/Compl. N/S
	3. Comp. Withd/Prior Sett. 7. Comp. Dropped/Both N/S
	4. Comp. Withd/No Sett. 8. Return to Ct./No Sett.
57	g. No Hearing Disposition: 1. Yes
58	h. Final Hearing Mediator's Initials
59	i. Hearing Date
60	5. FOLLOW-UP
61	a. Complainant contacted: 1. Yes 2. No
62	b. Respondent contacted: 1. Yes 2. No
63	c. Agreement kept: 1. Yes 8. Unknown
64	d. Agreement broken: 1. Yes
65	e. Any action taken:
66	• Broken settlement letter sent: 1. Yes
67	• Additional hearing scheduled: 1. Yes
	• Telephone advice given: 1. Yes
	• Referred to prosecutor: 1. Yes
	• Warrant issued: 1. Yes
	• Referral to justice/social service agency: 1. Yes
	• Other: 1. _____

CONTINUED

1 OF 2

COMPLAINANT

Address: _____

Employed: ☐ Yes Employer: _____
☐ No
☐ Unk. Emp. Phone: _____

Address: _____

Employed: ☐ Yes Employer: _____
☐ No
☐ Unk. Emp. Phone: _____

Charge: _____ (_____)

Intake Date: _____ Intake Time: _____ ☐ A.M. ☐ P.M.
(MO.) (DAY) (YR.)

Prosecutor: _____

HEARING DISPOSITION

I. Rescheduled:

New Hearing Date: _____ Time _____ ☐ A.M. ☐ P.M.
(MO.) (DAY) (YR.)

Reason:

Mediator: _____ Date: _____
(MO.) (DAY) (YR.)

II. Referral:

☐ Complainant ☐ Respondent ☐ Both Parties

Agency:

Type: ☐ Eviction Court ☐ Legal ☐ Family Couns.
☐ Small Claims Ct. ☐ Emerg. Asst. ☐ Drug/Alcohol Couns
☐ Juvenile Court ☐ Indiv. Couns. ☐ Empl./Train. Couns.
☐ Other _____

Mediator: _____ Date: _____
(MO.) (DAY) (YR.)

III. Final Disposition:

☐ Comp. Withd. — Settlement
☐ Comp. Withd. — Prior Settlement
☐ Comp. Withd. — No Settlement

☐ Comp. Withd. — Resp. N/S
☐ Comp. Dropped — Compl. N/S
☐ Comp. Dropped — Both N/S
☐ Return to Court — No Settlement

☐ Warrant Issued: Charge:_____

Prosecutor:

Settlement/Hearing Outcome:

Final Hearing Mediator:

Date: _____
(MO.) (DAY) (YR.)

Additional Information:

FOLLOW — UP

Callback — Complainant

Mediator:

Comments and Dates:

Callback — Respondent

Mediator:

Comments and Dates:

ATTACHMENT 22

CRIMINAL CHARGE CATEGORIES CLEVELAND MEDIATION PROGRAM

THEFT/BURGLARY/ROBBERY

- 1 Agg Robbery F1
- 2 Robbery F2
- 3 Agg Burglary F1
- 4 Burglary F2
- 5 Breaking and Entering (B & E) F4
- 6 Criminal Trespass M4
- 7 Safecracking F3
- 8 Theft F4
- 9 Petty Theft M1
- 10 Unauth. Use of Vehicle F4
- 11 Unauth. Use of Vehicle M1
- 12 Receive. Stolen Property (RSP) F4
- 13 Receive. Stolen Property (RSP) M1
- 14 Poss. Criminal Tools (PCT) F4
- 15 Prowling M
- 16 Attempted Burglary F3 or F4
- 17 Attempted Theft F
- 18 Attempted Theft M
- 19 Unauthorized Use of Property M4
- 20 Embezzlement

OFFENSES AGAINST FAMILY

- 30 Child Stealing F4
- 31 Non-Support Children (NSP) M1
- 32 Endangering Child F4
- 33 Endangering Child M1
- 34 Interfere with Custody M4
- 35 Child Neglect M
- 36 Domestic Violence F4
- 37 Domestic Violence M1

DISORDERLY CONDUCT/INTOXICATION

- 50 Disorderly Conduct (DC) M4
- 51 Public Intoxication M
- 52 Disorderly While Intoxicated M

TRAFFIC OFFENSES

- 60 Driving Under Suspension M4
- 61 Reckless Operation (Weaving) M4
- 62 Speeding M4

ATTACHMENT 22 (Continued)

TRAFFIC OFFENSES (Cont'd.)

- 63 Failure to Yield M4
- 64 Improper Turn M4
- 65 Improper Tags (unauth. license plates) M4
- 66 Leaving Scene of Accident M4
- 67 No Driver's License M4
- 68 Failure to Stop M4
- 69 Driving Through Red Light M4
- 70 Unmetered Parking M4
- 71 Improper Light M4
- 72 Pedestrian Viol. M4
- 73 Driving Under Influence (DUI/DWI) M1

WEAPONS VIOLATIONS

- 90 Carrying Conceal. Weapon (CCW) F3
- 91 Carrying Conceal. Weapon (CCW) M1
- 92 Poss. Dangerous Ordnance F4
- 93 Poss. Dangerous Ordnance M1
- 94 Discharging Firearms M
- 95 Use Weapon While Intox. M1
- 96 Transport Loaded Firearm M
- 97 Have Weapon While Disabled F4
- 98 Have Weapon While Disabled M1
- 99 Furnish Weapon to Unauth. Person M2

DRUG VIOLATIONS

- 110 Drug Possession F2
- 111 Drug Possession M
- 112 Trafficking F1
- 113 All Other Drug Offenses F
- 114 All Other Drug Offenses M

MISCHIEF/DAMAGING

- 120 Criminal Damaging M1
- 121 Vandalism F4
- 122 Criminal Mischief M3

SEX OFFENSES

- 130 Rape F1
- 131 Sexual Battery F3
- 132 Gross Sexual Imposition F3 or F4
- 133 Sexual Imposition M3
- 134 Importuning M

ATTACHMENT 22 (Continued)

SEX OFFENSES (Cont'd.)

135 Voyeurism M3
 136 Public Indecency M4
 137 Promoting Prostitution F4
 138 Soliciting M3
 139 Prostitution M3
 140 Contribute to Delinquency of Minor M

FRAUD/DECEPTION

150 Passing Bad Checks (PBC) F4
 151 Passing Bad Checks (PBC) M1
 152 Misuse of Credit Cards F4
 153 Misuse of Credit Cards M1
 154 Forgery F4
 155 Defraud Livery F4
 156 Defraud Livery M1
 157 Secure Writings by Deception F4
 158 Secure Writings by Deception M1
 159 Defraud Creditors M1
 160 Falsification M
 161 Deceptive Trade Practices M
 162 Larceny by Trick M
 163 Fraud Use of Phone M
 164 Mail Tampering
 165 Tampering with Records

LICENSE VIOLATIONS (Municipal Ordinance)

171 Vending Without License
 172 Ticket Scalping
 173 Fail to Have Cabaret License
 174 Practice Medicine w/o License
 175 Practice Dentistry w/o License
 176 Ill. Carry. Passengers for Hire
 177 Operate Wrecker w/o License
 178 Operate Beauty Salon w/o License

ASSAULT/MENACING

190 Felonious Assault F2
 191 Agg. Assault F4
 192 Assault M1
 193 Negligent Assault M3
 194 Agg. Menacing M1
 195 Menacing M4
 196 Intimidation F3

ATTACHMENT 22 (Continued)

PRISONER OFFENSES AGAINST JUSTICE

210 Resisting Arrest (RA) M2
 211 Escape F4
 212 Probation Violation/Parole Violation (PV)
 213 Attempted Escape F4

OTHER OFFENSES AGAINST JUSTICE

220 Perjury F3
 221 Tampering With Evidence F3
 222 Compounding a Crime M1
 223 Fail to Aid Law Officer Mm
 224 Obstruct Official Business M2
 225 Obstruct Justice F4
 226 Obstruct Justice M1
 227 Failure to Disperse Mm
 228 Inducing Panic F4
 229 Inducing Panic M1
 230 Complicity F
 231 Complicity M
 232 Failure to Comply M
 233 Misconduct at Emergency M
 234 Impersonating an Officer M
 235 Unauthorized Use of Police Property M4
 236 Contempt
 237 Bribery F3
 238 Falsification M1
 239 Aggravated Riot F4 or F3
 240 Failure to Appear M

OTHER MISDEMEANORS

250 Pandering Obscenity M1
 251 Gambling M1
 252 Public Gaming M4
 253 Telephone Harassment M1
 254 Making False Alarms
 255 Liquor Violations M
 256 Open Flask
 257 Bigamy
 258 City Tax Violations
 259 Health Regulations
 260 Park Violations Mun. M
 261 Littering M
 262 Prohibited Acts
 263 Sale Unstamped Cigarettes
 264 Fishing w/o License
 265 Careless Smoking
 266 Zoning Violation

OTHER MISDEMEANORS (Cont'd.)

- 267 Taping Violation
- 268 Viol. City Ord. Fountain Square (Cincinnati Ordinance; N/A)
- 269 Tampering W/T Coin Machines
- 270 Vehicular Homicide
- 271 Arson
- 272 Attempt (charge not given)
- 273 Dog Violations (vicious, loud or roaming dog)
- 274 Animal Cruelty

OTHER FELONIES

- 290 Agg. Murder F1
- 291 Murder F2
- 292 Voluntary Manslaughter F
- 293 Agg. Vehicular Homicide F3
- 294 Vehicular Homicide F4
- 295 Kidnapping F1
- 296 Abduction F3
- 297 Extortion F3
- 298 Agg. Arson F1
- 299 Arson F2
- 300 Attempted Murder F3
- 301 Pandering Obscenity
- 302 Gambling
- 303 Attempt (charge not given)

CIVIL MATTERS

- 313 Landlord/Tenant
- 314 Breach of Contract
- 315 Domestic Relations

CITY OF CLEVELAND
STATISTICAL PLANNING AREAS - 1980

Planning Area	Neighborhood	Census Tract
1	Archwood-Denison	1054, 1055, 1056
2	Buckeye-Shaker	1194, 1195, 1197
3	Central	1079, 1087, 1088 1089, 1093, 1096 1097, 1098, 1099 1103, 1137, 1138 1142
4	Clark-Fulton	1027, 1028, 1029 1046, 1049, 1051 1052, 1053
5	Corlett	1211, 1212, 1214 1215, 1216
6	Cudell	1014, 1015, 1016 1017
7	Detroit-Shoreway/ Near West Side	1012, 1018, 1019 1025, 1026, 1031 1034, 1035
8	Downtown	1071, 1072, 1073 1074, 1076, 1077 1078, 1092
9	Edgewater	1011, 1013
10	Euclid-Green	1179, 1261
11	Fairfax	1131, 1132, 1133 1134, 1135, 1136 1139, 1141
12	Forest Hills	1163, 1166, 1167 1168, 1184
13	Glenville	1114, 1161, 1162 1164, 1165, 1181 1182, 1183, 1185
14	Hough	1121, 1122, 1123 1124, 1125, 1126 1127, 1128, 1129 1186, 1189
15	Industrial Valley	1091, 1101, 1102 1106

ATTACHMENT 23 (Cont'd.)

<u>Planning Area</u>	<u>Neighborhood</u>	<u>Census Tract</u>
16	Jefferson	1233, 1235, 1239 1241, 1242
17	Kamms Corners	1231, 1232, 1234 1236
18	Kinsman	1143, 1144, 1145 1147, 1148, 1201
19	Lee-Miles	1217, 1218, 1219 1221, 1222, 1223
20	Mt. Pleasant	1198, 1199, 1206 1207, 1208
21	North Broadway	1104, 1105, 1108 1146, 1149
22	North Collinwood	1171, 1172, 1176 1177
23	Ohio City/Near West Side	1032, 1033, 1036 1037, 1038, 1039
24	Old Brooklyn	1057, 1058, 1059 1061, 1062, 1063 1064, 1065, 1066 1067
25	Goodrich/ Kirtland Park	1075, 1081, 1082 1083, 1084, 1085 1086, 1111
26	Puritas-Longmead	1243, 1244, 1245 1246
27	Riverside	1237, 1238
28	St. Clair- Superior	1112, 1113, 1115 1116, 1117, 1118 1119
29	South Broadway	1107, 1109, 1151 1152, 1153, 1154 1157, 1158, 1159 1203
30	South Collinwood	1169, 1173, 1174 1175, 1178
31	Tremont	1041, 1042, 1043 1044, 1045, 1047 1048
32	Union-Miles Park	1155, 1156, 1204 1205, 1209, 1213
33	University	1187, 1188, 1191 1192
34	West Boulevard	1021, 1022, 1023 1024
35	Woodland Hills	1193, 1196, 1202

ATTACHMENT 23
(Continued)

CLEVELAND SUBURBAN CITIES

<u>Planning Area</u>	<u>Cities</u>	<u>Census Tracts</u>
36	Bay	1301
37	Beachwood	1311
38	Bedford	1321-1323
39	Bedford Heights	1331
40	Berea	1341-1343
41	Brecksville	1351
42	Broadview Heights	1361
43	Brooklyn	1371
44	Brook Park	1381
45	Cleveland Heights	1401-1417
46	East Cleveland	1501-1510
47	Euclid	1521-1527
48	Fairview Park	1531
49	Garfield Heights	1541-1547
50	Highland Heights	1551
51	Independence	1561
52	Lakewood	1601-1618
53	Lyndhurst	1701-1702
54	Maple Heights	1711-1712
55	Mayfield Heights	1721-1722
56	Middleburg Heights	1731
57	North Olmsted	1741-1742
58	North Royalton	1751-1752
59	Olmsted Falls	1761-1762
60	Parma	1771-1776
61	Parma Heights	1781-1782
62	Pepper Pike	1791
63	Richmond Heights	1801
64	Rocky River	1811-1812
65	Seven Hills	1821

ATTACHMENT 23 (Cont'd.)

<u>Planning Area</u>	<u>Cities</u>	<u>Census Tracts</u>
66	Shaker Heights	1831-1836
67	Solon	1841
68	South Euclid	1851-1852
69	Strongsville	1861-1862
70	University Heights	1871
71	Warrensville Heights	1881
72	Westlake	1891
	<u>Villages and Townships</u>	
73	Olmsted Township	1905
74	River Edge Township	1910
75	Linndale Village	1915
76	Newburgh Heights Village	1920
77	Cuyahoga Heights Village	1922
78	Brooklyn Heights Village	1923
79	Bratenahl Village	1928
80	Valley View Village	1929
81	North Randall Village	1938
82	Warrensville Township	1939
83	Oakwood Village	1940
84	Walton Hills Village	1941
85	Mayfield Village	1943
86	Gates Mills Village	1945
87	Hunting Valley Village	1947
88	Woodmere Village	1948
89	Orange Village	1949
90	Glenwillow Village	1951
91	Moreland Hills Village	1952
92	Bentleyville Village	1953
93	Chagrin Falls Township	1954
94	Chagrin Falls Village	1955
	<u>Western Lake County</u>	
95	Willowick	2001-2005
96	Wickliffe	2006-2009

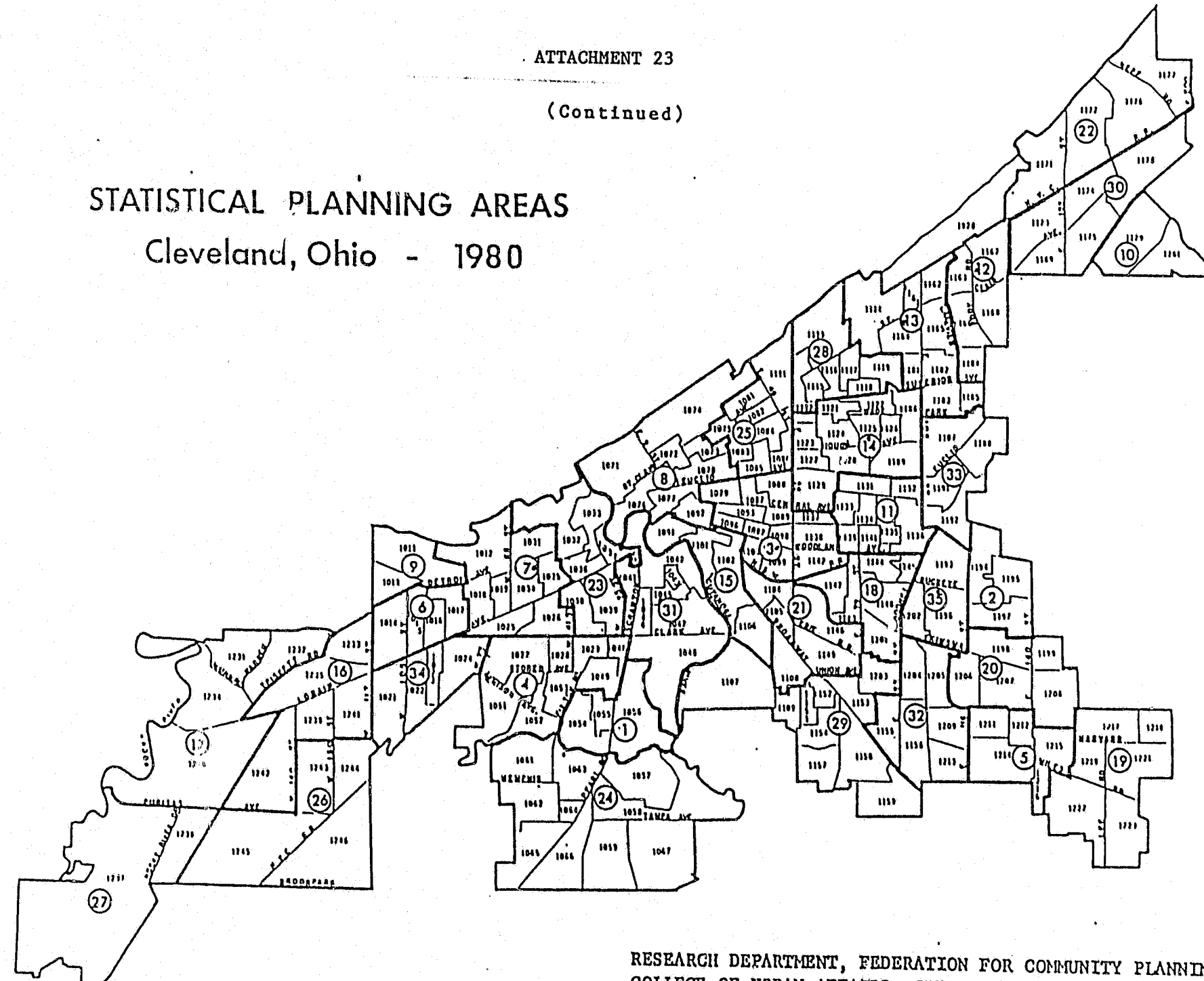
ATTACHMENT 23 (Cont'd.)

<u>Planning Area</u>	<u>Western Lake County</u>	<u>Census Tracts</u>
97	Willoughby Hills	2010-2011
98	Willoughby	2012-2017
99	Eastlake	2018-2022
100	Lakeline Village, Timberlake Village	2023
101	Waite Hill Village	2037

ATTACHMENT 23

(Continued)

STATISTICAL PLANNING AREAS
Cleveland, Ohio - 1980

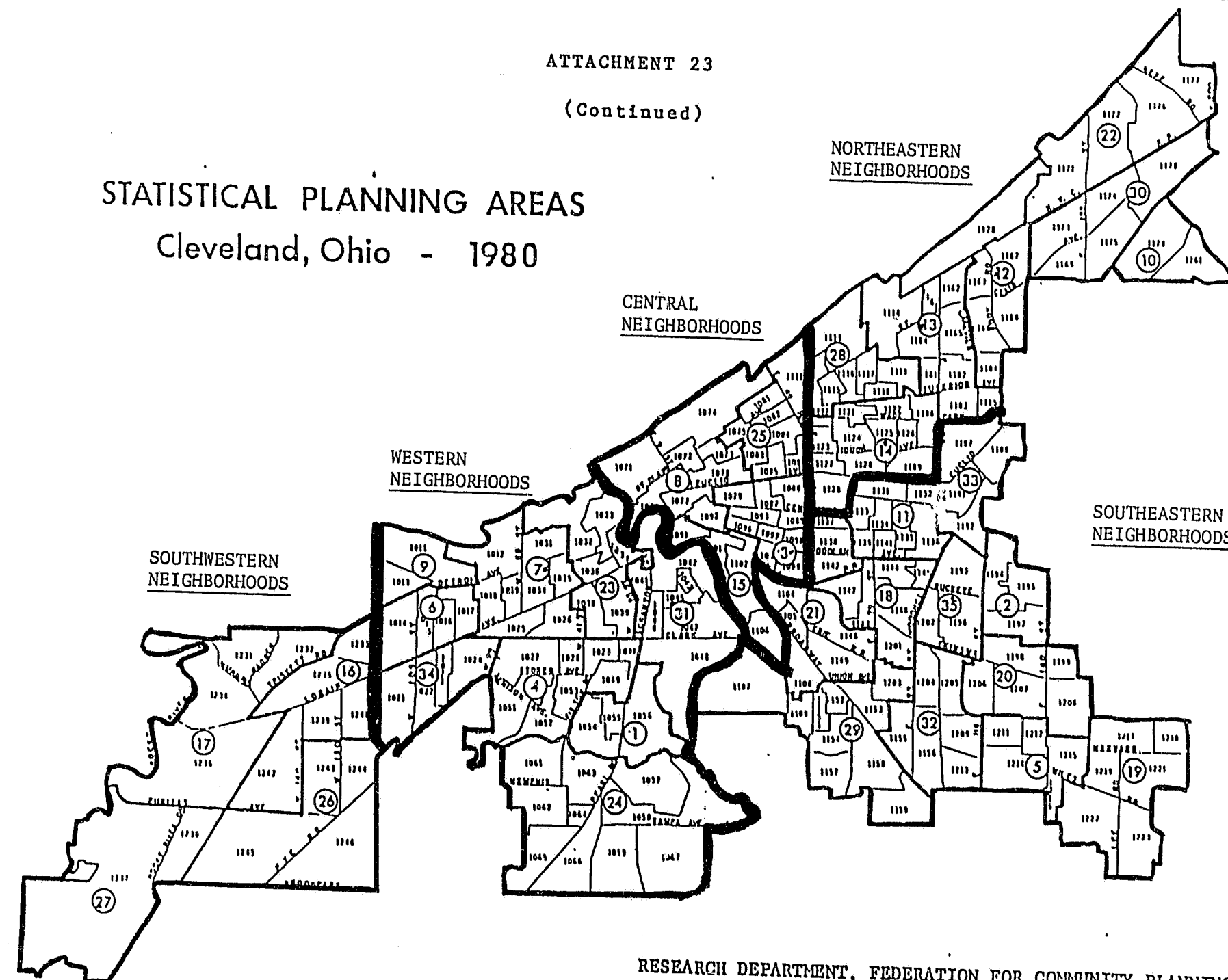


RESEARCH DEPARTMENT, FEDERATION FOR COMMUNITY PLANNING
COLLEGE OF URBAN AFFAIRS, CLEVELAND STATE UNIVERSITY
CLEVELAND CITY PLANNING COMMISSION

ATTACHMENT 23

(Continued)

STATISTICAL PLANNING AREAS
Cleveland, Ohio - 1980



RESEARCH DEPARTMENT, FEDERATION FOR COMMUNITY PLANNING
COLLEGE OF URBAN AFFAIRS, CLEVELAND STATE UNIVERSITY
CLEVELAND CITY PLANNING COMMISSION

ATTACHMENT 24

SURVEY NO.: _____

COMPLAINANT/HEARING

CLEVELAND PROSECUTOR MEDIATION PROGRAM EVALUATION
PARTICIPANT SURVEY QUESTIONNAIRE

COVER SHEET

Complainant's Name: _____

Complainant's Telephone Number: _____

Complainant's Race: 1. White 2. Black 3. Hispanic 4. Other _____

Complainant's Sex: 1. Male 2. Female

Respondent's Name: _____

Date of Hearing: _____
(month/day/year)

Hearing Disposition: _____

Mediator's Name or Initials: _____

Date of Interview: _____
(month/day/year)

Time Started Interview: _____ 1. a.m.
2. p.m.

Time Finished Interview: _____ 1. a.m.
2. p.m.

Approximate Length of Interview: _____ Minutes

Interviewer's Initials: _____

RECORD OF TELEPHONE CONTACTS - COMPLAINANT/HEARING

Attempt 1:

Time: _____ 1. A.M.
2. P.M.

____ No Answer
____ Phone Busy
____ Phone Disconnected
____ Party Moved; No Forwarding Number
____ Answer

(Describe what happened, e.g.
interview conducted, party not at
home, call back at specific time,
etc.)

Attempt 2:

Time: _____ 1. A.M.
2. P.M.

____ No Answer
____ Phone Busy
____ Phone Disconnected
____ Party Moved; No Forwarding Number
____ Answer

(Describe what happened)

Attempt 3:

Time: _____ 1. A.M.
2. P.M.

____ No Answer
____ Phone Busy
____ Phone Disconnected
____ Party Moved; No Forwarding Number
____ Answer

(Describe what happened)

Attempt 4:

Time: _____ 1. A.M.
2. P.M.

____ No Answer
____ Phone Busy
____ Phone Disconnected
____ Party Moved; No Forwarding Number
____ Answer

(Describe what happened)

Attempt 5:

Time: _____ 1. A.M.
2. P.M.

____ No Answer
____ Phone Busy
____ Phone Disconnected
____ Party Moved; No Forwarding Number
____ Answer

(Describe what happened)

INTRODUCTION

Hello, I'm _____, calling for the City of Cleveland. The City is evaluating the Cleveland Prosecutor's Mediation Program. I understand that you have had some contact with the Program. Is this right? We'd like to ask you a few questions about what kind of a job you feel the Program did for you and whether you think it's a helpful service.

I understand that you were scheduled for a hearing on _____ (month, year) which involved you and _____. Is this right? (other party's name)
These questions will only take about 10 minutes and your answers will be entirely confidential. No one in the Program or the Prosecutor's office will know what we've talked about.

COMPLAINANT/HEARING QUESTIONNAIRE

INSTRUCTIONS: Complete this questionnaire for complainants who have participated in a mediation hearing.

Let's talk about when you first came down yourself to the Prosecutor's office to file a complaint before the hearing was scheduled.

1. Did the person who handled your complaint that first time explain what would happen in a mediation hearing?
 - a. Yes (Proceed to question #2)
 - b. No (Skip to Question #4)
 - c. DK (Skip to Question #4)
2. Did you understand his/her explanations of the mediation program?
 - a. Yes
 - b. No
 - c. DK
3. Based on what that person told you, was the hearing you had later pretty much what you expected it to be?
 - a. Yes
 - b. No
 - c. DK
4. Did this person seem to be in a hurry to talk with you or did he/she allow enough time to listen to you tell your problem?
 - a. In a hurry
 - b. Enough time
 - c. Other _____
 - d. DK _____
5. Did you think this person understood the problem(s) that made you come to the Prosecutor's office?
 - a. Yes
 - b. No
 - c. DK
6. When you came down to the Program, were you given an information sheet that explained what happens in a mediation hearing?
 - a. Yes
 - b. No
 - c. DK

7. Did you understand what was explained on the information sheet?
- Yes
 - No
 - DK
8. Was your hearing pretty much like the information sheet said it would be?
- Yes
 - No
 - DK

O.K. Now let's talk about when you actually went into the hearing, a week or so later.

9. During the hearing, was it clear to you:
- That the purpose of the hearing was to work out a solution of the problem that both you and _____ could live with?
(respondent's name)
 - Yes
 - No
 - DK
 - Did you understand that you were not in court?
 - Yes
 - No
 - DK
 - Did you understand that the person who ran the hearing, the mediator, was not a judge?
 - Yes
 - No
 - DK
 - Did you know that what was said in the hearing was confidential and would not be reported to the Court?
 - Yes
 - No
 - DK
 - Did you think that a prosecutor could review your complaint if you were not satisfied with the solution reached in the hearing?
 - Yes
 - No
 - DK

10. During the hearing, did you and _____ work out some
(respondent's name)
kind of solution to the problem you were talking about?
- Yes (Proceed to questions 11a-g)
 - No (Skip to questions 12a-c)
 - DK (Proceed to questions 11a-g)
-
- 11a. How satisfied were you with the solution reached in the hearing -- very satisfied, satisfied, or not satisfied?
- Very satisfied
 - Satisfied
 - Not satisfied
 - DK
- 11b. Do you think the solution between you and _____
(respondent's name)
was fair or unfair to your own side of the argument?
- Fair
 - Unfair
 - DK
- 11c. Did the solution help solve the problem for the time being?
- Yes
 - No
 - DK
- 11d. Has this problem come up again?
- Yes (Proceed to question 11e)
 - No (Skip to question 11f)
 - DK (Skip to question 11f)
- 11e. About how long after the hearing did the problem come up again?
- Up to 1 week
 - 1 - 2 weeks
 - 2 weeks - 1 month
 - More than 1 month
 - DK
- 11f. Did you think the mediator cared about helping you come up with a solution to the problem that you could live with?
- Yes
 - No
 - DK

11g. Did you feel that the mediator solved the problem for you, or did the mediator help you and the other person solve it yourselves?

- a. Solved it for you
- b. Helped solve it yourselves
- c. Other _____
- d. DK

(Proceed to lead-in sentence before question #13)

12a. If you didn't reach a solution to your problem in the hearing, did you ever come up with a solution to the problem, or does it still exist?

- a. Came up with solution (Proceed to questions 12b,c)
- b. Problem still exists (Skip to question #13)
- c. DK (Skip to question #13)

12b. How did you reach this solution?

- a. DK

12c. Did this problem ever come up again?

- a. Yes
- b. No
- c. DK

Now, I'd like to ask you some questions about the person who ran your hearing -- the mediator.

13. In the hearing, did you feel that the mediator was understanding of your problem?

- a. Yes
- b. No
- c. DK

14. Did the mediator seem fair to both sides in the hearing, or did the mediator favor one side over the other?

- a. Fair (Skip to question #16)
- b. Favor one side (Proceed to question #15)
- c. DK (Skip to question #16)

15. Which side did the mediator favor?

- a. Your side
- b. Other person's side
- c. DK

16. Did the mediator give you enough time in the hearing to talk over the problem?

- a. Yes
- b. No
- c. DK

17. How satisfied were you in general with the way people treated you when you came down to the Prosecutor's office for the hearing? Were you: very satisfied, satisfied, or not satisfied?

- a. Very satisfied
- b. Satisfied
- c. Not satisfied
- d. DK

18. If you were involved in another hearing, would you want the same mediator or would you want a different one?

- a. Same
- b. Different
- c. DK

19. Was there anything in particular you liked about the mediator in your hearing?

- a. Yes (Proceed to question #20)
- b. No (Skip to question #21)
- c. DK (Skip to question #21)

20. What was that?

21. Was there anything in particular you did not like about the mediator?

- a. Yes (Proceed to question #22)
- b. No (Skip to question #23)
- c. DK (Skip to question #23)

22. What was that?

Now, I'd like to ask you some questions about the hearing in general.

23. Do you think the time spent at the hearing was: very worthwhile, worthwhile, or not worthwhile?

- a. Very worthwhile
- b. Worthwhile
- c. Not worthwhile
- d. DK

24. In general, how helpful was the hearing itself in solving the problem that led to you making the complaint? Was it: very helpful, somewhat helpful, or not helpful at all?

- a. Very helpful
- b. Somewhat helpful
- c. Not helpful at all
- d. DK

25. Do you think the problem was better, about the same, or worse after the hearing?

- a. Better
- b. About the same
- c. Worse
- d. DK

26. Did the mediator tell you what you could do if you were not satisfied with the results of the hearing?

- a. Yes
- b. No
- c. DK

27. What do you think you could have done if you did not like the results of the hearing? (RECORD ANSWER AND CIRCLE ANY ANSWERS THAT ARE APPROPRIATE).

- a. Get a warrant
- b. Go to court
- c. Schedule another hearing
- d. Nothing
- e. DK

28. If a similar problem came up in the future, would you rather go through a hearing first, go straight to court, or do something else?

- a. Hearing first (Skip to question #31)
- b. Court (Skip to Question #31)
- c. Something else (Proceed to questions #29,30)
- d. DK (Skip to question #31)

29. What would this be?

30. Why would you rather do this?

31. Was there anything in particular you liked about the hearing?

- a. Yes (Proceed to question #32)
- b. No (Skip to question #33)
- c. DK (Skip to question #33)

32. What was that?

a. DK

33. Was there anything in particular you did not like about the hearing?

- a. Yes (Proceed to question #34)
- b. No (Skip to question #35)
- c. DK (Skip to question #35)

34. What was that?

a. DK

Now, I'd like to ask you some general questions about yourself. These are like the questions people ask when they are taking the census and include things like where you were born, your age, etc. Remember that your answers will be entirely confidential.

35. How long have you lived at your present address:

- a. Less than 1 year
- b. 1-2 years
- c. 2.1-5 years
- d. More than 5 years
- e. DK
- f. Refused to answer

36. Are you Married, single, divorced, separated, or widowed?

- a. Married, common-law
- b. Single
- c. Divorced
- d. Separated
- e. Widowed
- f. DK

37. Do you have any children?

- a. Yes
- b. No
- c. D.K.
- d. Refused to answer

38. How many children do you have?

_____ children

39. As of your last birthday, how old were you?

_____ years old

- a. DK
- b. Refused to answer

40. What was the highest grade or year of school that you finished?

- a. Never attended
- b. 1-4 years
- c. 5-8 years
- d. 9-11 years
- e. Completed high school
- f. Business/technical school
- g. 1-2 years of college
- h. 2 year college degree
- i. 3-4 years of college with no 4 year college degree
- j. Undergraduate degree
- k. Some graduate work
- l. Graduate degree
- m. DK
- n. Refused to answer

41. Are you working now, looking for work, unemployed or retired?
Or do you stay at home, or go to school? (CIRCLE ALL ANSWERS WHICH ARE GIVEN.)

- | | | | | |
|--------------------------------------------|---|---|---|---|
| a. Working (Proceed to question #42) | | | | |
| b. Looking for work (Skip to question #43) | | | | |
| c. Unemployed | " | " | " | " |
| d. Retired | " | " | " | " |
| e. Unable to work | " | " | " | " |
| f. Staying at home | " | " | " | " |
| g. Going to school | " | " | " | " |
| h. DK | " | " | " | " |
| i. Refused to answer | " | " | " | " |

42. What kind of work do you do? (RECORD ANSWER VERBATIM AND THEN CLASSIFY BELOW)

Verbatim answer: _____

- a. Professional (professor, teacher, doctor, lawyer, etc.)
- b. Technical (engineer, chemist, etc.)
- c. Managerial
- d. Clerical
- e. Sales
- f. Skilled labor (jeweler, shoemaker, etc.)
- g. Semi-skilled/unskilled (assembly line worker, laborer, etc.)
- h. Housewife
- i. Student
- j. Other _____
- k. DK
- l. Refused to answer

43. Do you receive any type of public assistance, retirement or disability pension, or unemployment compensation? (CIRCLE ALL ANSWERS WHICH ARE GIVEN.)

- a. Public assistance (e.g. ADC, food stamps, etc.)
- b. Retirement pension
- c. Disability pension
- d. Unemployment compensation
- e. Other _____
- f. DK
- g. Refused to answer

THANK YOU VERY MUCH. THAT'S ALL THE QUESTIONS I HAVE, AND YOU'VE BEEN VERY HELPFUL.

DO YOU HAVE ANY QUESTIONS ABOUT THE SURVEY, OR HOW YOUR RESPONSES WILL BE USED?

INTERVIEWER'S SUPPLEMENT

INSTRUCTIONS: Complete this supplement immediately after you have finished the interview.

1. Participant's cooperation in the interview was:
 - a. Very good
 - b. Good
 - c. Fair
 - d. Poor
 - e. Very poor
2. What was the participant's general attitude towards the interview before you conducted it?
 - a. Reluctant to participate
 - b. Cooperative; willing to participate
 - c. Other _____
3. Did the participant's general attitude about the interview seem to change after you conducted it?
 - a. Yes
 - b. Somewhat
 - c. No
4. How coherent was the participant during the interview?
 - a. Very coherent
 - b. Slightly confused; disoriented
 - c. Sounded intoxicated or high
 - d. Other _____
5. Overall, how great was the participant's interest in the interview?
 - a. Very high
 - b. Fairly high
 - c. Average
 - d. Below average
 - e. Very low

INTERVIEWER'S INITIALS: _____

END