

OJACC (formally known as OCCO) published its first newsletter in 1988 as a means to share information across the state.

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OJACC Mission:
To bring together stakeholders to promote and support effective community corrections that enhance public safety.

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OJACC President's Message

Greetings to All,

For community corrections stakeholders, recent developments are certain to impact our work in the next few years. Here are a few highlights followed by some interesting articles for your review.



*Hon. Nancy A. Fuerst
 OJACC President*

Justice Paul Pfeifer Addresses the OJACC Board of Trustees

Retired Justice Paul Pfeifer, Executive Director of the Ohio Judicial Conference, addressed the OJACC Board in June with information about the role of the Ohio Judicial Conference (OJC) in studying the impact of legislation in juvenile and adult criminal law. Clearly, the viewpoint of judges is critical in the process and outcomes when dealing with community corrections. However, judicial viewpoints are not necessarily perfectly aligned with OJACC. Judges deal with different issues such as preservation of judicial discretion, separation of powers and procedural and substantive fairness of sentencing law. The common concern for judges and community correction providers are rehabilitation, reduction of recidivism and community safety.

Recodification Committee and Sentencing Commission

In June 2017, the Ohio Criminal Justice Recodification Committee approved its recommendations and sent them to the General Assembly for consideration. Those recommendations are available for public viewing at <http://ocjrc.legislature.ohio.gov>. The Committee's review of the criminal code was a massive undertaking guided by Auglaize County Common Pleas Judge Fred Pepple and Ohio Public Defender Tim Young to update and streamline the code. Now the legislature will consider the recommendations.

The Ohio Sentencing Commission continues its efforts to gather data on sentencing outcomes throughout the state, to study low level drug offender sentencing throughout the entire nation and to study pre-trial and bail reform. Inevitably, their work will eventually

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OJACC Newsletter

Over 30 Years Promoting and Supporting Effective Community Corrections

OJACC President – Hon. Nancy A. Fuerst

OJACC First Vice President – Hon. Jim Slagle

OJACC Second Vice President – Kysten Palmore

OJACC Treasurer – Molly Gauntner

OJACC Secretary – Amy Klumpp

Submissions

The OJACC Newsletter is a quarterly publication of the Ohio Justice Alliance for Community Corrections. Subscription is free to all members.

The OJACC Newsletter encourages the submission of articles dealing with all aspects of community corrections. Articles must be relatively brief. OJACC reserves the right to edit articles for space considerations and reserves the discretion to select which articles to publish.

Points of view expressed in this Newsletter are those of the authors and do not necessarily represent the official position or policies of OJACC.

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intersect with the recommendations of the Recodification Committee. Stakeholders and service providers should remain focused on supporting an effective continuum of programming and treatment from the pre-trial to post-disposition and re-entry phase.

Ohio Budget Shifting Funds

ODRC Director Gary Mohr and Governor Kasich remain committed to reduce the prison population and to administer local sanctions when possible. The FY 18/19 budget will restore all 501-407 CCA funded programs to the FY 17 levels and will move currently funded 501-408 Common Pleas Court programs to the 407 line to accomplish this goal. ODRC will communicate to each 408 programs how it will be funded in FY 18.

All Probation Improvement and Incentive Grants (PIIG) will receive notice of automatic renewal with notice of changes in the outcome/performance targets of the grant. (Source: 6/29/17 Letter to Community Partners from Christopher Galli, Bureau of Community Sanctions.)

T-CAP: Targeted Community Alternatives to Prison

House Bill 49 codified the Targeted Community Alternatives to Prison (T-CAP) pilot program that prevents persons convicted of non-violent, non-sex, non-mandatory Felony 5 offenses, other than Drug Trafficking, sentenced to 12 months or less and who have no prior record of felony sex or violent offenses from serving the sentence in state prison. Effective July 1, 2018, TCAP will be mandatory for the 10 most populous counties. For every other county, participation will be voluntary. TCAP participation is voluntary this fiscal year for all counties. Those who volunteer will receive grant funding from ODRC. Participating counties will be required to enter into a memorandum of understanding which outlines how TCAP funds will be spent. The MOU also requires that the sheriff determine a per diem cost for housing the targeted population. In addition to TCAP, House Bill 49 imposed a limit on the length of prison terms imposed for F5 and some F4 Community Control violators. Felony 5 terms for Community Control Violators are capped at 90 days. Felony 4 non-violent, non-sex terms for Community Control Violators are now capped at 180 days.

Judicial Release

House Bill 49 expanded eligibility for judicial release by removing the requirement that an offender confined to a prison term of less than two years serve at least 30 days to be eligible to apply for judicial release and expands earned credit.

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Medicaid Expansion

As of this writing, Governor Kasich has vetoed line items in the budget dealing with a freeze on the Medicaid expansion. The freeze is estimated to negatively impact nearly 500,000 Ohioans who are poor, drug addicted or mentally ill covered under the ACA. The legislature will consider whether to override the Governor's veto. Its decision will be monumental and complicated by the uncertainty of the future of the Affordable Care Act in Congress. OJACC has publically supported Medicaid expansion as a way to address the needs of those we serve.

Community control programming clearly remains the vital component for all these legislative and budgetary changes. The challenge is to make sure a full array of options are available and to administer them effectively.

On behalf of OJACC, thank you for your continued interest and efforts in supporting community corrections. We hope you will find the newsletter interesting and informative.

Judge Nancy A. Fuerst
President



31st Annual OJACC Conference to be held October 12 and 13, 2017

By Gayle Dittmer, Conference Committee Co-Chair

The Ohio Justice Alliance for Community Corrections (OJACC) is pleased to present its 31st annual conference, *Individualizing Responses to Overcome Barriers*, at the Crowne Plaza Hotel North in Columbus, Ohio, October 12 and 13, 2017.

The general session Thursday morning will feature Jennifer Cox, National Trainer for Mental Health First Aid and Director of Training for the Montgomery County ADAMH. Mental Health First Aid USA is listed in the Substance Abuse and Mental Health Services Administration's National Registry of Evidence-based Programs and Practices and is often referred to as mental health's equivalent of CPR. In her presentation, Ms. Cox will explain this national and international initiative and its importance to our field.

Carmen Rodriguez, Senior Training Specialist for Cook County Adult Probation and nationally recognized presenter will provide the Friday afternoon closing general session on "The Pursuit of Happiness at Work." Happiness in the workplace results in a better working environment for all. Ms. Rodriguez will help us develop our capacity to have a say in how we experience our work life.

Several workshops will be provided to attempt to address the issue of the effect of trauma on many involved in the criminal justice system. Other workshops will address Dosage and Principles of Effective Intervention, Recovery Housing, Overcoming Hurdles in the Coaching Process, Ohio Peer Recovery Support, Detox Your Work Environment, a juvenile workshop track, and much more.

OJACC is honored to continue its partnership with the Ohio Department of Rehabilitation and Correction (ODRC) as ODRC once again presents The Clifford Skeen Awards in conjunction with the OJACC Achievement Awards luncheon recognizing excellence in community corrections. Please take the time to nominate a professional for the OJACC Achievement Awards who has demonstrated a commitment to the improvement of community corrections. A nomination forms can be found in this newsletter or on the OJACC website, ojacc.org.

Credits are being applied for in the area of Changing Offender Behavior (COB), CLE, RCH, and Counselor/Social Work. Please make plans to attend this highly informative conference. Conference registration information can be found at ojacc.org.





Promoting Jail Diversion Alternatives for People with Mental Disorders

Jail Diversion Research

Individuals with mental illness are overrepresented in jails and prisons. Correctional settings are not intended to be mental health treatment facilities and are not able to provide optimal care. This phenomenon has resulted in overburdened prison staff, interruption of mental health treatment, and often a worsening of mental health symptoms due to environmental stressors associated with incarceration.

The Sequential Intercept Model

Working with SAMHSA's National GAINS Center, the CJCCoE developed a conceptual model to approach the over-representation of people with mental illness. The model outlines sequential points at which a person with mental illness can be "intercepted" and kept from going further into the criminal justice system. Over time, as systems mature, it is expected that people will be intercepted earlier in the process, leading to fewer people entering the criminal justice system.

The model proposes five intercept levels for the adult criminal justice system:

1. Law enforcement and emergency services
2. Initial hearings and initial detention
3. Jail and courts
4. Reentry from jails, prisons, and hospitals
5. Community corrections and community support

What is Sequential Intercept Mapping?

Sequential Intercept Mapping is a cross-systems approach to strengthening local strategies to implement core services that will address behavioral health, criminogenic, and social factors for justice-involved persons with mental illness. The goals are to aid communities in developing effective systems of care that bridge criminal justice and mental health services and minimize criminal justice involvement for persons with mental illness. Sequential Intercept Mapping promotes stakeholder collaboration by tying existing efforts together from pre-arrest through re-entry; identifying strengths and gaps; addressing issues relevant across all intercepts (e.g., culture, gender, trauma, and needs of veterans) and identifying solutions, many of which do not add costs.

Within the 1.5 day workshop, trained facilitators provide information and resources on a framework for addressing risks and needs of justice involved adults with behavioral health needs. Opportunities and resources are identified for diverting and linking people to treatment, and gaps in services are summarized. Facilitators provide examples of successful systems integration, promising and research based practices within Ohio and around the U.S., and a local map is created using the Sequential Intercept Model. Participants identify areas where immediate steps will promote improved service delivery, and a local set of priorities for change are developed, resulting in a mapping report and Action Plan for Change for implementation.

The ultimate intercept is best practices, meaning the provision of accessible and effective mental health and addiction services.

Sequential Intercept Mapping and Taking Action for Change

Training and Workshop Description

Workshops are based on the Sequential Intercept Model of Munetz and Griffin (2006).

Creating a Local Cross-Systems Map

- This 1-day workshop develops a map that illustrates how people with mental illness come in contact with and flow through the criminal justice system
- It brings together key stakeholders to tap into local expertise
- A local map is created using the Sequential Intercept Model
- Opportunities and resources are identified for diverting people to treatment
- Gaps in services are summarized

Priorities for Change

- Trainers provide examples of successful systems integration, promising programs, and emergent collaborations from Ohio communities and around the U.S.
- Participants determine areas where immediate steps will effect a more cohesive, integrated approach to service delivery
- A local set of priorities for change is established

Additional Benefits

- This workshop facilitates cross-system communication
- The Mapping exercise facilitates cross-system collaboration and helps identify underused resources
- This collaboration improves the early identification of people with co-occurring disorders coming into contact with the criminal justice system, increases effective service linkage, reduces the likelihood of recycling through the criminal justice system, enhances community safety, and improves quality of life

Facilitated Action Planning

- A ½ day activity that immediately follows a Cross-Systems Mapping workshop
- Key stakeholders make specific plans for taking action
- This interactive, information-sharing, collaborative activity addresses the identified gaps in service and the priorities established in the Cross-Systems Mapping workshop
- Gaps are addressed through attainable, low-cost, prioritized action steps

A Local Action Plan

- Addresses a mutually identified set of local systems problems that are impeding criminal justice diversion and service delivery
- Reviews best practices that address the identified problems
- Establishes action steps and identifies staff to pursue next steps

Criminal Justice Coordinating Center of Excellence

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Ohio Criminal Sentencing Commission Ad Hoc Committee on Bail and Pretrial Services Final Report & Recommendations June 2017

Ohio Criminal Sentencing Commission voted to adopt the recommendations and report of the Ad Hoc Committee on Bail and Pretrial Services on June 15, 2017. The full report can be found at <http://www.supremecourt.ohio.gov/Boards/Sentencing/committees>. In this newsletter we have also included information on resources available to review current pretrial systems and make improvements.

The Executive Summary of the Final Report & Recommendations reads as follows:

The system of bail was intended to ensure a defendant would appear in court and, eventually, ensure public safety by keeping those defendants who pose a substantial risk of committing crimes while awaiting trial in jail. The reality, however, is that those with money, notwithstanding their danger to the community, can purchase their freedom, while poor defendants remain in jail pending trial. Research shows that even short stays in jail before trial lead to an increased likelihood of missing school, job loss, family issues, increased desperation, and thus, an increased likelihood to reoffend.¹

In 1968, the American Bar Association released criminal justice standards related to pretrial release and over the past several years many states have undertaken reviews of their pretrial systems and adopted various reforms. No less than 20 states have begun implementing reforms such as risk assessments for release determinations, citation in lieu of detention, and elimination of bond schedules. In addition, there has been a rise in litigation arguing that pretrial detention violates the Due Process and Equal Protection Clauses of the United States Constitution. For example, in *Walker v. City of Calhoun*, pretrial detainees challenged the City of Calhoun's bail system, which mandated payment of a fixed amount without consideration of other factors, including risk of flight, risk of dangerousness, and financial resources.² The trial court invoked U.S. Supreme Court decisions³, finding that the principle of those cases was especially applicable "where the individual being detained is a pretrial detainee who has not yet been found guilty of a crime."⁴

The court found that the system violated the Equal Protection Clause since "incarceration of an individual because of the individual's inability to pay a fine or fee is impermissible."⁵ The issue is currently under consideration by the Eleventh Circuit Court of Appeals, where the Justice Department has filed a brief in support of striking down the city's bail scheme.⁶

Nationally, pretrial services and bail have come under scrutiny in the past decade. The Conference of State Court Administrators (COSCA) issued a paper in 2013 supporting the ongoing work of the United States Department of Justice and the Pretrial Justice Institute to reform pretrial services.⁷ The Conference of Chief Justices and the Conference of State Court Administrators has established a National Task Force on Fines, Fees and Bail Practices to address the ongoing impact these financial sanctions have on the economically disadvantaged in the United States.⁸ Finally, the United States Department of Justice has funded bail reform initiatives and provided data to states and, in its consent decree with the city of Ferguson, ended the use of secured money bonds.⁹

The Council of State Governments Justice Center found that, in Pennsylvania, less than half of those with monetary bail succeed in posting it, even for misdemeanors.¹⁰ A recent decision in the Southern District of Texas stated "under federal and state law, secured money bail may serve to detain indigent misdemeanor arrestees only in the narrowest of cases, and only when, in those cases, due process safeguards the rights of the indigent accused."¹¹ The Connecticut Criminal Sentencing Commission issued a report and recommendations in February 2017 that recommended many reforms similar to those contained in this report.¹²

Recent events fuel the debate over the reform of bail and pretrial services. In New Jersey recent reports show increased criticism of bail reform implemented at the beginning of 2017. New Jersey virtually eliminated the use of cash bail and, under the new law, only detains those who pose the highest risk for

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flight or reoffending. Police and victims have begun to criticize the new law as resulting in a “revolving door” of defendants.¹³ Suggestions have been made that tragedies, like those in Kirkersville, Ohio, where a gunman killed the police chief and two nursing-home employees, would become more frequent under bail reform.¹⁴ But New Jersey’s reforms went further than those recommended here, limiting judicial discretion in release and detain decisions,¹⁵ and the gunman in Kirkersville was out of prison on judicial release postconviction, not pretrial.

In Ohio, bail reform and pretrial services have been the subject of review in various individual jurisdictions. In Cuyahoga County, Administrative Judge John Russo formed a committee to review that county’s bail system, examine local policies and procedures among jurisdictions within the county, and consider the costs of the system.¹⁶ Lucas County is one of 20 jurisdictions to participate in the MacArthur Foundation Safety + Justice Challenge network intended to support “a network of competitively selected local jurisdictions committed to finding ways to safely reduce jail incarceration.”¹⁷ The local goal is to safely reduce jail population and address racial and ethnic disparities in the criminal justice system. Lucas County has implemented an administrative release program, which allows judges to administratively release inmates according to the risk they pose as determined by the Ohio Risk Assessment System Community Supervision Tool, to reduce the local jail population. Lucas County has also implemented use of a risk assessment tool developed by the Laura and John Arnold Foundation (“Arnold tool”) to provide public safety assessments to determine risk of failure to appear and new criminal activity. Stark County and the Cleveland Municipal Court are also beginning use of the Arnold tool. Summit County has developed an in-house risk assessment tool for pretrial determinations.

The Ohio Criminal Sentencing Commission, in an effort to ensure that Ohio is holding people for the right reasons prior to trial, formed an Ad Hoc Committee on Bail and Pretrial Services to determine the current situation in Ohio and to make recommendations that will maximize appropriate placement for defendants, protect the presumption of innocence, maximize appearance at court hearings,

and maximize public safety. One of the primary purposes of pursuing reform of bail practices and pretrial services is to ensure that those that pose the greatest risk to public safety and failure to appear are detained while awaiting trial while maximizing release of pretrial detainees to effectively utilize jail resources. According to a study conducted by the Department of Rehabilitation and Correction (DRC), 35.4% of people in local jails are awaiting trial -- meaning they have not been convicted of a crime.¹⁸ They are either being held without bail or cannot afford bail. In most cases it is the latter.

The Ad Hoc Committee was comprised of commission members and others with a vested interest in the bail and pretrial services system. Judges, prosecutors, defense counsel, clerks, court administrators, law enforcement, jails, and bondsmen were all represented on the Ad Hoc Committee so that all sides of the issues could be considered in making recommendations. The Commission secured technical assistance from the National Institute of Corrections for assistance in defining the problem and identifying national trends and successful solutions. The National Institute of Corrections (NIC) is an agency within the U.S. Department of Justice, Federal Bureau of Prisons which provides training, technical assistance, information services, and policy/program development assistance to federal, state, and local corrections agencies while also providing leadership to influence correctional policies, practices, and operations nationwide. At the request of the Commission, the Institute agreed to provide technical expertise on pretrial service reform. Lori Eville, correctional program specialist at NIC and Tim Schnacke,¹⁹ executive director of the Center for Legal and Evidence-Based Practices, made several visits to Ohio to discuss national trends, the experience of other jurisdictions undertaking pretrial and bail reform, and to offer their experiences and expertise.

The full Ad Hoc Committee met five times over the course of 11 months and formed work groups to tackle the various issues identified by members as priorities for discussion. The first task undertaken by the majority of work groups was to design and disseminate surveys to determine the current state of pretrial services in Ohio. Surveys were

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sent to clerks, jail administrators, prosecutors, and judges. After analyzing the current state of pretrial services in Ohio, including presentations from Ohio counties currently undergoing reform efforts, and a review of national trends, work groups met and developed recommendations to present to the full Ad Hoc Committee, which then considered each recommendation and voted on whether it should be included in the recommendations to the Ohio Criminal Sentencing Commission. After initial release of draft recommendations the Commission opened a public comment period soliciting comments from criminal justice partners, stakeholders, and the general public. The comment period resulted in only four submitted comments. Two comments previously submitted by the bail bond industry were included and also considered. A survey was sent to Ad Hoc Committee members to determine which, if any, of the public comment suggestions would be incorporated into the report prior to final approval by the Commission. Public comments are discussed throughout the report in appropriate sections.

The Ad Hoc Committee stresses that these recommendations should not be read or considered independently. Implementation of each recommendation is necessary to create a fair and effective bail system with robust pretrial services.²⁰ At the conclusion of the report, suggested language is provided for revisions to Crim.R. 4, Crim.R. 5, and Crim.R. 46. The Ad Hoc Committee did not fully discuss this proposed language, but wanted to provide the Supreme Court of Ohio a starting point from which to develop rule amendments in line with their recommendations.

Recommendations to reform and create a system of pretrial justice that maximizes appearance, release and appropriate placement, preserves public safety, protects the presumption of innocence, and achieves efficiencies and consistency in Ohio's pretrial system while decreasing the reliance on monetary bail as the primary release mechanism include:

1. Establish a risk-based pretrial system, using an empirically based assessment tool, with a presumption of nonfinancial release and statutory preventative detention. Setting monetary bail based only upon the level of offense, as most bond schedules do, negates

the ability of the court to differentiate bail decisions based upon a defendant's risk for failure to appear or the risk to public safety. At a minimum, defendants detained in accordance with the bond schedule should have a bond review hearing within a reasonable time. Bond schedules should be eliminated. However, if they are utilized, the schedule should be based upon a defendant's risk for failure to appear or risk to public safety and should be consistent and uniform among counties and courts within counties.

2. Implement a performance management (data collection) system to ensure a fair, effective and fiscally efficient process. As in other areas of Ohio's criminal justice system, data regarding pretrial decisions, agencies, and outcomes is rarely collected. A dedicated, concerted effort to increase data collection and analysis for all facets of the bail and pretrial system in Ohio includes each jurisdiction mandated to collect appearance rates, safety rates, and concurrence rates (how often a judge accepts a pretrial service agency recommendation), development of a method to track the number of hearings on bond and information about violations that occur while defendants are out on bond, and information regarding the effectiveness/success of diversion programs.

3. Maximize release through alternatives to pretrial detention that ensure appearance at court hearings while enhancing public safety. Diversion options, such as prosecutorial diversion programs and day reporting, should be offered in every jurisdiction with eligibility criteria that takes into account pretrial assessments.

4. Mandate the presence of counsel for the defendant at the initial appearance. The practice is a hallmark of an effective pretrial system and importantly, the United States Supreme Court has found that a criminal defendant's initial appearance before a magistrate or judge, where the defendant learns the charge against him and his or her liberty is subject to restriction, marks the initiation of adversarial judicial proceedings.²¹ This triggers the attachment of the Sixth Amendment right to counsel.²²

5. Require education and training of court personnel, including judges, clerks of court, prosecutors, defense counsel, and others with a vested interest in the

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pretrial process. Without training and education, the individuals operating within the system will remain reluctant to embrace risk assessment and alternatives to monetary bail.

6. Continued monitoring and reporting on pretrial services and bail in Ohio. With the implementation of robust data collection and the onset of new practices under the recommendations in this report, the Ohio General Assembly should task the Ohio Criminal Sentencing Commission with periodic reporting on pretrial practices and operations to ensure continued progress.

1 Pretrial Justice Institution, www.pretrial.org/the-problem/, December 1, 2016.

2 Walker v. City of Calhoun, Georgia, 2016 WL 361612, N.D. Georgia, January 28, 2016.

3 Griffin v. Illinois, 351 U.S. 12 (1956); Bearden v. Georgia, 461 U.S. 660 (1983).

4 Walker, *supra* at 11.

5 *Id.*, citing Tate v. Short, 401 U.S. 395 (1971).

6 Walker v. City of Calhoun, Georgia, 11 Cir. CA, No. 16-10521-HH.

7 Arthur W. Peppin, “2012-2013 Policy Paper Evidence-Based Pretrial Release”, COSCA <http://cosca.ncsc.org/~media/microsites/files/cosca/policy%20papers/evidence%20based%20pre-trial%20release%20-final.ashx>

8 “Top national state court leadership associations launch National Task Force on Fines, Fees and Bail Practices”, National Center for State Courts, February 3, 2016, http://www.ncsc.org/Newsroom/News-Releases/2016/Task-Force-on-Fines-Fees-and-BailPractices.aspx?utm_source=iContact&utm_medium=email&utm_campaign=Communications&utm_content=0216+COSCA+Bulletin

9 Attorney General Loretta E. Lynch, Remarks at the Eight Annual Judge Thomas A. Flannery Lecture, November 15, 2016, <https://www.justice.gov/opa/speech/attorney-general-loretta-e-lynch-delivers-remarks-eighth-annual-judge-thomas-flannery> .

10 “Justice Center Analysis of AOPC data”, Council of State Governments Justice Center, 2017, p.6.

11 ODonnell v. Harris Cty., Texas, Case 4:16-cv-01414, p. 6, April 28, 2017.

12 Connecticut Sentencing Commission, “Report to the Governor and the General Assembly on Pretrial Release and Detention in Connecticut”, February 2017. http://www.ct.gov/ctsc/lib/ctsc/Pretrial_Release_and_Detention_in_CT_2.6.2017.pdf

13 Wallace, Sarah. “Nobody’s Afraid to Commit Crimes: Cops, Victims Blast Overhaul of NJ Bail System”. NBC New York, May 30, 2017. <http://www.nbcnewyork.com/news/local/Bail-Reform-New-Jersey-Criminals-Streets-Law-Jail-Investigation-422965474.html>

14 Dayton Daily News, “Kirkersville murders: Judge who granted killer’s early release admits ‘mistakes’”. May 16, 2017. <http://www.daytondailynews.com/news/local/kirkersville-murders-judge-who-granted-killer->

15 Rice, Josie Duffy. “New Jersey passes new bail reform law, changing lives of poor defendants”. Daily Kos. January 3, 2017. <http://www.dailykos.com/story/2017/1/3/1616714/-New-Jersey-passes-new-bail-reform-law-changing-lives-of-poor-defendants>

16 “Impact 2016:Justice for All”, cleveland.com, http://www.cleveland.com/metro/index.ssf/2016/05/cuyahoga_county_chief_judge_jo.html#incart_river_index_topics

17 MacArthur Foundation, Safety + Justice Challenge, January 5, 2017, <http://www.safetyandjusticechallenge.org/about-the-challenge/>

18 Brian D. Martin, Brian R. Kowalski, & Sharon M. Schnelle, Findings and Recommendations from a Statewide Outcome Evaluation of Ohio Jails, (June 2012), available at <http://www.drc.ohio.gov/web/ohiojailevaluation.pdf> at 41.

19 Tim Schnacke is author of two papers on pretrial services and bail reform that were instrumental in educating Ad Hoc committee members. “Fundamentals of Bail: A Resource Guide for Pretrial Practitioners and a Framework for American Pretrial Reform”, NIC, September 2014 and “Money as a Criminal Justice Stakeholder: The Judge’s Decision to Release or Detain a Defendant Pretrial”, NIC, September 2014 provided needed background and foundational information for the committee.

20 The recommendations should be implemented in any situation where bond is set. For example, in child support civil contempt motions bond is often set in the amount of the arrears to guarantee appearance. These amounts can be very high and are not based upon the defendant’s risk for failure to appear.

21 Rothergy v. Gillespie County, 554 U.S. 191, 213 (2008).

22 Rothergy v. Gillespie County, 554 U.S. 191, 213 (2008).



THE STEPPING UP INITIATIVE



THE OHIO
PROJECT



The Problem

Each year there are an estimated 2 million people with serious mental illnesses admitted to U.S. jails and almost three-quarters of adults with serious mental illnesses in jails have co-occurring substance use disorders. The toll incarceration takes on these individuals and their families, as well as the costs assumed by taxpayers, is staggering. Jails have become de facto in-patient psychiatric facilities across the nation with little impact on public safety. Ohio is no exception, with as many as 30 percent or more of the individuals in jails having mental illnesses.

Ohio Steps Up

A growing number of Ohio counties are joining with their counterparts across the country to engage in [Stepping Up](#), a national initiative to reduce the number of people with mental illnesses in jails. The initiative was launched in May 2015 by the Council of State Governments (CSG) Justice Center, the National Association of Counties, and the American Psychiatric Association Foundation, with support from the U.S. Justice Department's Bureau of Justice Assistance, to help people with mental illnesses and co-occurring substance use disorders safely stay out of jails and on a path to recovery. In Ohio, leaders in Franklin County have announced one of the most comprehensive plans to date to overhaul responses to people with mental illnesses who are cycling through the criminal justice system. This type of engagement and resolve across the state has sparked a special Ohio Stepping Up effort led by county and state leaders, with support from the CSG Justice Center. This effort is generously funded by the Margaret Clark Morgan and Gund Foundations.

"Too many Ohioans with serious mental illness and substance use disorders are lingering in our jails—not getting the help they need." – Tracy Plouck, Director, Ohio Department of Mental Health and Addiction Services

Getting Started With Ohio Stepping Up

To make this effort a success, all Ohio county leaders are encouraged to [sign up](#) for Ohio Stepping Up and [pass a resolution](#) that includes a commitment to a six-step planning process. Counties that pass a resolution in support of the national [Stepping Up](#) initiative, not only demonstrate their commitment to reducing the number of people with mental illnesses and co-occurring substance use disorders in jail but also benefit from Ohio specific resources. and have been retained by The Margaret Clark Morgan Foundation has retained Retired Justice Evelyn Lundberg Stratton to serve as Project Director and Melissa Knopp, Esq., to serve as Project Coordinator to lead the Ohio efforts.



FOUR WAYS YOU CAN BENEFIT FROM OHIO STEPPING UP

1. Access the Stepping Up Toolkit

Make sure your county has signed up to receive Stepping Up announcements at <https://stepuptogether.org/take-action>. By signing up, your county will receive a link to the Stepping Up toolkit, which includes written planning guides, training webinars, and relevant publications. Drawing on this assistance, counties can create actionable plans to reduce the number of people with mental illnesses in jails.

2. Participate in a free readiness assessment to determine what you have and what you need

An expert team will work directly with your county to assess the current status of data collection for and policies and practices to address people with mental illness and substance use disorders in the criminal justice system. The results of this readiness assessment can help your county prioritize areas to tackle in your plan to reduce the number of people with mental illnesses in jail. To participate, email Melissa Knopp, Esq., at knoppm@hocking.edu.

3. Receive free technical assistance with your county plan

Stepping Up Ohio participants will have access to resources that provide guidance and updates on learning opportunities, peer exchanges, and other technical assistance. For more information, please check out the OhioMHAS Stepping Up webpage at: www.mha.ohio.gov/steppingup. You may also contact Julie Spohn at Julie.spohn@mha.ohio.gov for further details regarding technical assistance.

4. Ohio Stepping Up conference

Once a year all registered Ohio Stepping Up counties attended a one-day conference that brought state and local leaders from across Ohio together with partners from the national initiative to identify strategies to build local capacity and connect with training and technical assistance resources. The 2017 conference will be held in September 2017 and all registered Ohio Stepping Up Counties will be invited to participate.

To learn more about Ohio Stepping Up and the opportunities available through this initiative, please contact Project Coordinator Melissa Knopp, Esq., at knoppm@hocking.edu.



Ohio Justice Alliance for Community Corrections

Achievement Awards

The Ohio Justice Alliance for Community Corrections is a coalition of elected officials and correctional providers working together to improve and promote community corrections. OJACC attempts to achieve this goal through legislative initiatives and public education. In 1990, OJACC created three awards to be given to Ohioans whose work has contributed to the improvement of community corrections. Below are the descriptions and previous recipients of each award.

Representative C.J. McLin Award

The late Representative C.J. McLin, Jr., during his tenure in the General Assembly, actively worked to improve community corrections through funding and legislative change. The award is given annually to an elected official in Ohio who has worked towards the improvement of community corrections in Ohio.

Previous Recipients:

Senator Merle Kearns	Honorable James D. Henson	Honorable James A. Shriver
Commissioner John Dowlin	Honorable Elinore Marsh Stormer	Honorable John Trebets
Representative Cliff Skeen	Honorable Thomas E. Louden	Representative Tracy Maxwell Heard
Chief Justice Thomas J. Moyer	Honorable James Ray	Senator Rob Portman
Speaker Vernal G. Riffe	Honorable James DeWeese	Honorable Luann Cooperrider
Justice Evelyn Lundberg Stratton	Honorable John M. Durkin	Honorable Linda Tucci Teodosio
Lieutenant Governor Mike DeWine	Honorable Michael J. Sage	Honorable Jim Slagle
Honorable G. Haas	Honorable Charles E. Brown, Jr.	Honorable David R. Matia
Sheriff James A. Telb	Honorable Nancy R. McDonnell	

Dr. Bennett J. Cooper Award

Dr. Bennett J. Cooper was the first Director of the Ohio Department of Rehabilitation and Correction in Ohio. During his lifetime he has created many improvements in public policy towards corrections. He has worked on a national level to try to institutionalize needed changes. This award is given to a correctional administrator or policy maker who has shown a lifetime commitment to the improvement of community corrections.

Previous Recipients:

Geno Natalucci-Persichetti	Honorable Lynett M. McGough	Linda Janes	Hon. Nancy A. Fuerst
Reginald A. Wilkinson	Ralph Starkey	Candace Peters	Sara Andrews
Loran Alexander	Randy J. Gorcz	Terry Collins	Gary C. Mohr
James Kura (posthumous)	Jill Goldhart	Thomas J. Stickrath	Chief Justice Maureen O'Connor
Joseph Janesz	James Wichtman	Sandra Cannon	Phillip Nunes
Robert Denton	Lynn Grimshaw	Karhlton Moore	
Grafton S. Payne II	Edward Rhine	Senator Bill Seitz	

Dr. Simon Dinitz Award

Dr. Simon Dinitz, through his work at the Ohio State University, has dedicated his life to improving the knowledge base of corrections. He has served on state and national commissions whose purpose was to improve corrections. As an educator he has also been responsible for training many correctional practitioners in the state. This award is given to a community correctional practitioner who has made contributions to the improvement of community corrections in Ohio.

Previous Recipients:

George Pownall, Ph.D.	Wendy Niehaus	Merel Pickenpaugh	Bud Hite
Ed DiMond	Gayle E. Benson	Gayle Dittmer	Brian Lovins
George Farmer	Linda Modry	Gary Yates	Melissa Litteral
Dr. Edward J. Latessa	Mike Cantrell	Christopher T. Lowenkamp	Juli Tice
James J. Lawrence	Daniel Peterca	Anne Connell-Freund	Jennifer Burnside
William D. Kroman	Tony Ingram	Donna Martin Hamparian	Veronica Perry
Eugene Gallo	Denise Robinson	Mary Spottswood	

James Wichtman Award

Jim Wichtman was one of the founders of the Ohio Community Corrections Organization, now known as the Ohio Justice Alliance for Community Corrections. Jim dedicated his career to the progressive development of community corrections with great passion and commitment. In 2006, the OJACC Board of Trustees voted to create an award in Jim's name to honor OJACC Board Members who have dedicated themselves to OJACC's mission.

Previous Recipients:

Justice Evelyn Lundberg Stratton	Kristina Hawk	Honorable Keith Spaeth
Honorable Kenneth Spicer	Gayle Dittmer	Sharon Weitzenhof
Maria Nemec	Scott Sylak	Anne Connell-Freund
M Phillip Nunes	Corey Schaal	



Award Nomination Form

Nominee: _____
Position: _____
Agency: _____
Address: _____
Phone: _____
Award: McLin: _____ Cooper: _____ Dinitz: _____ Wichtman: _____

Explain (below or on an attached sheet) why this individual should receive the indicated award. The awards will be presented at the OJACC annual conference on October 12, 2017.

Nominator: _____
Agency: _____
Address: _____
Phone: _____ E-mail: _____

Please send completed form to: Ohio Justice Alliance for Community Corrections, Post Office Box 849, Pataskala, OH 43062, or tctaylor@mac.com by September 15, 2017. For questions, call Cheryl Taylor at (740) 420-6444.



Ohio Justice Alliance for Community Corrections

Post Office Box 849  Pataskala, OH 43062

2017 OJACC Legislative Reception

By Marta Murdi, Advocacy and Policy Co-Chair

OJACC's Legislative Reception took place on April 5, 2017, in the Statehouse's Museum Gallery and was a great success. OJACC President, Judge Nancy Fuerst, introduced the speakers to a full room of legislators, community corrections partners and advocates. Speaker Senator John Eklund spoke about the legislature's efforts to reduce collateral consequences for people involved in the criminal justice system and for those re-entering the community after incarceration. Because Senate President Larry Obhof was in the audience, Judge Fuerst invited him to say a few words and he thanked the group for its work and its mission. Next, ODRC Director Gary

Mohr discussed the importance of diverting short-term, low-level, non-violent Felony 5 offenders from prison, and the upcoming budget which earmarks funds for services within the community. Medicaid Director Barbara Sears explained how Ohio has benefited from providing health and mental health services for populations being diverted from prison and populations that are re-entering the community after prison. The final speaker, Holly Saelens, Vice President of Molina Healthcare talked about a coordinated approach to Ohioan's health care needs, including and especially those with mental health disorders and addiction disorders.

