Lost in Transition

DOUGLAS J HENDERSON
Lost in Transition

By: Douglas J. Henderson
# Table of Contents

Cover Page .................................................................................................................................................. 1  

Table of Contents ...................................................................................................................................... 2  

Article ....................................................................................................................................................... 3  

Transition Program .................................................................................................................................. 8  

Ohio Green Prison Project ......................................................................................................................... 9  

Mentoring Programs (PVIP) ...................................................................................................................... 10  

Driver’s License ...................................................................................................................................... 11  

Funding ..................................................................................................................................................... 12  

  Figure – 1 ................................................................................................................................................ 13  

  Figure – 2 ................................................................................................................................................ 14  

  Figure – 3 ................................................................................................................................................ 15  

  Graph – 1 ................................................................................................................................................ 16  

  Graph 2 .................................................................................................................................................. 17  

  Table 1 .................................................................................................................................................... 18  

  Table 2 .................................................................................................................................................... 19
Article

In Ohio, an ‘indigent’ individual is defined and determined pursuant to Ohio Revised Code (ORC) §120.03, §ORC 120.05, State v. Tymcio (1975), 42 Ohio St.2d. 29, and the Ohio Supreme Court Rules of Superintendence. Basically an indigent person as it relates to the public defender is one that cannot reasonably be expected to contribute to or reimburse others for legal services provided to him or her. The right to an attorney is guaranteed by the 6th amendment of the Constitution of the United States in all cases where a deprivation of life, liberty or property is possible; the Ohio State Constitution guarantees its accused an attorney in Article I, §10.

Imagine that an indigent individual charged with a crime stood unrepresented before the judge or jury with the full force of the State, County, or Municipality against them. What cost would there be to punish each and every indigent person to the full extent of the law (See Figure – 2)? Would those costs only be important to the extent taxpayers must bear them, or should we also consider the costs society must pay both as a whole and at the familial level? Are there alternatives to minimum sentencing guidelines or sentencing offenders to incarceration – if so what justifies these programs? Do alternative programs only increase the overall costs to the system regardless of what program they get in because in the end people on programs will inevitably return to the system again? The Office of the Public Defender selflessly represents indigent individuals, which account for approximately 85% of all persons charged with crimes in Hamilton County, Ohio, solely in each person’s best interest. Because of the cost of incarceration alone, though, an indigent individual receiving less than a maximum sentence also minimizes the costs taxpayers must bear.

In their article *Unhandcuffing Justice*, Aaron M. Clemens and Judge H. R. Stancil point out that the United States tops the world in two prominent areas: debt and prisons – “our nation imprisons more people per capita than any other nation” they state. As an example, Clemens and Stancil cite Florida as a state that spends “2.72 billion dollars or an estimated 9.3 percent of its budget on corrections. … 15.1 percent of Florida’s state employees work in corrections.” The national statistics reflect that Florida is not an anomaly relative to other states in the U.S. As of December 31, 2008, more than 1.6 million inmates were under state or federal correctional authority and in the entire correction system 7.3 million people were on probation, in jail or prison, or on parole. In 2001 about 1:198 imprisoned was imprisoned for more than 1 year (a proportion that has only increased every year since 2001) – at an average of $62.05 per inmate per day in state prisons and an average cost of $62.01 per inmate per day in federal prisons; in

---

5 $22,650 per inmate per year on average is the cost for state prisoners. *One in 100: Behind Bars in America*. Footnote 2.
6 $22,632 per inmate per year on average is the cost for federal prisoners. *One in 100: Behind Bars in America*. Footnote 2.
2007 1:25 adults was under correctional control\textsuperscript{7}. The per inmate per year costs of both state and federal prisoners (See footnote 4 and 5) is more than double the poverty level/line for 1 person in 2009\textsuperscript{8}, and Hamilton County, Ohio’s jail runs at full capacity 365 days per year at a per day in jail cost that is roughly equivalent to Ohio’s 2010 average cost per inmate of $69.50\textsuperscript{9} per day.\textsuperscript{10}

The National Institute of Corrections states that “[i]n Ohio there are 88 counties and 118 jail facilities. Their combined rated capacity is 20,052 inmates\textsuperscript{11}.” Hamilton County houses approximately 7.17\%\textsuperscript{12} of Ohio’s jailed population on any given day. The entire budgeted cost for the public safety and judicial system in Hamilton County, Ohio for 2010 is 17.45\% of the total General Fund and Restricted Fund expense budget\textsuperscript{13} for the county. This 17.45\% cost is down 3.47\% from the 20.92\% cost of 2008\textsuperscript{14}, but still greatly exceeds the State of Ohio’s 7.3 percent expenditure on corrections\textsuperscript{15}.

In every year since 1980, the correctional population has increased nationally\textsuperscript{16}; so too have the costs\textsuperscript{17} for federal, state, and local governments. Looking strictly at the financial costs of the criminal justice system (not including societal and familial costs), these costs alone can perhaps justify the implementation of a multitude of jail diversion programs. Do jail diversion programs only increase the cost to the judicial system in Hamilton County, Ohio? Looking at the county’s budgets since 2008 shows that the costs allocated to the judicial and public safety systems have decreased 3 straight years since 2008\textsuperscript{18}. Additionally, cases in general (and specifically for the public defender) have simultaneously decreased between 2008 and 2010\textsuperscript{19} after having increased between 2006 and 2008 and peaking in 2008\textsuperscript{20}. This implies that the total number of arrests for

\textsuperscript{7} The PEW Center on the States. \textit{1 in 31: The Long Reach of American Corrections; Ohio}; 2007. Citing the Bureau of Justice Statistics, Correctional Surveys (U.S. Department of Justice).


\textsuperscript{9} Ohio Department of Rehabilitation and Correction. June 2010.

\textsuperscript{10} $25,367.55 per inmate per year average is the average cost for Ohio prisoners. Ohio Department of Rehabilitation and Correction. June 2010.

\textsuperscript{11} National Institute of Corrections. Retrieved from: \url{http://nicic.gov/features/statestats/?state=oh} on 7/13/2010. This number does not include state prison facility capacity.

\textsuperscript{12} 7.17\% of Ohioan county jail capacity is equal to 1,437 beds running at full capacity in Hamilton County, Ohio.

\textsuperscript{13} 17.45\% equals the public safety budget of $110,702,178 plus the judicial budget of $93,472,272 of the total $1,169,742,882 General Fund and Restricted Fund expense budget for Hamilton County, Ohio in 2010. Hamilton County, Ohio. \textit{Budget in Brief}. 2010.

\textsuperscript{14} In 2008 the actual cost for public safety was $128,789,246, the judicial budget was $115,927,199 of the total $1,239,644,248 General Fund and Restricted Fund expense budget. Hamilton County, Ohio. \textit{Budget in Brief}. 2008.

\textsuperscript{15} The PEW Center on the States. \textit{1 in 31: The Long Reach of American Corrections; Ohio}; 2008. Citing the National Association of State Budget Officers, State Expenditure Reports.

\textsuperscript{16} Bureau of Justice Statistics. USDOJ. Retrieved from: \url{http://bjs.ojp.usdoj.gov/content/glance/tables/corr2tab.cfm} on 6/19/2010.

\textsuperscript{17} Bureau of Justice Statistics. USDOJ. Retrieved from: \url{http://bjs.ojp.usdoj.gov/content/glance/exptyp.cfm} on 6/22/2010.

\textsuperscript{18} Budgeted Costs for public safety were $128,789,246 (2008), $118,980,834 (2009), and $110,702,178 (2010). Hamilton County, Ohio. \textit{Budget in Brief}. 2008-2010.

\textsuperscript{19} Estimated total cases for 2008 were 63,540, 2009 cases were 52,954; actual cases handled by the public defender’s office in 2008 were 55,252, 2009 cases were 46,047. See Figure – 1.

\textsuperscript{20} Overall Number of Bookings Tombs in 2006 was found to be 48,054 (See Footnote 19 for 2008 and 2009 statistics). Barbara; Scott-Hayward, Christine; Roa, Carla; Daly, Reagan. VERA Institute of Justice. \textit{Assessment...
Hamilton County, Ohio have decreased since the VERA Institute of Justice found that [between 2002 and 2006] “[t]here [was] an increase in the percentage of admissions [into jail] who are in what can be considered “lower-risk” demographic groups,”21 as VERA recommended a greater utilization of jail diversion programs in March of 2008.22 VERA Institute of Justice representatives stated in their March 2008 recommendations, “there appears to be an opportunity for the County [Hamilton County, Ohio] to target specific offender populations and develop a continuum of community sanctions – not just a single program – to address the needs of the offenders while holding the offender accountable for the criminal behavior.”23 In fact, county cases have decreased even considering the fact that an 822 person bed jail closed in 2008-2009 (Queensgate), and this has all happened while the Hamilton County population continues to peak. This trend seems to run counter to the conventional wisdom that more criminals on the streets leads to more crimes – the statistical figures simply do not reflect this sort of trend.

Perhaps it is true that budget cuts take away from the money available to keep people incarcerated. Will budget cuts lead to society spiraling out of control? The actual statistics show that budget cuts can be made as jail diversion programs are implemented at a cost savings to Hamilton County, Ohio. The mentality that there is no deterrent without a looming mandatory incarceration is flat wrong. The numbers can stand by themselves to show that cases and charges brought in Hamilton County can decrease and crime rates lowered with a greater utilization of alternative sentencing programs. Additionally, if programs are in place to maximize the utilization of jail diversion programs, when the economy turns around, state, local, and federal budget allocations saved from justice system cuts and prisons closings can be re-allocated to jobs creation, educational programs, public health, healthcare, or the implementation of green policies. On the other hand, if the justice system fully prosecuted offenders to the maximum extent of the law – what cost would there be?

Why can’t the criminal justice system continue to affect individuals by implementing programs that could not only reduce recidivism (currently estimated to be between 35% in Hamilton County, Ohio24 and 70% for adults25), but also lessen criminal justice system sentences – and therefore costs – without increasing crime rates (e.g. decreasing the incarceration rate per 100,000 persons, something which has otherwise only increased nationally year after year since 198026)? The numbers make it clear that Hamilton County, Ohio reduced its public safety and judicial system costs – because they had to – and still decreased the number of people introduced to the criminal justice system. This reduction coincided with the greater utilization and implementation of jail diversion programs (again diversion programs had to be more utilized

---

21 Tombs, Barbara; Scott-Hayward, Christine; Roa, Carla; Daly, Reagan. VERA Institute of Justice. Assessment of Changes in Inmate Characteristics and Jail Management Processes in Hamilton County, Ohio. March 18, 2008. PG 58. Table 2.

22 Id.

23 Id at PG 54


because the Queensgate jail closing gave rise to there simply being nowhere to keep more people imprisoned. Would the justice system costs have been decreased without necessity? Probably not, but if the necessity wouldn’t have existed, then perhaps the true state of affairs regarding jail diversion programs in Hamilton County, Ohio might not have been revealed.

Necessary budget cuts have revealed that if Hamilton County, Ohio released individuals that do not require incarceration before trial, then the county would be in a much better position to fund other causes without being too underfunded to be able to do so. There is no reason that this model cannot be followed elsewhere. After all, why can jail inmates be released during budget cuts and crime stay roughly the same? Doesn’t a release of inmates accompanied by a decrease in criminal justice system caseloads and arrests mean that those released shouldn’t have been held in jail in the first place? Reparations for crimes committed must be made, but the reparations mandated could be made in way other than requiring imprisonment, and the people that are released wouldn’t have to be subject to all the costs associated with the jailing aspect of the criminal justice system. ‘You do the crime, you do the time’ might sound better if the word ‘maybe’ was appended to the end of non-violent crimes (and appended with a much greater frequency). The question needs to be asked for every person sitting in jail: “does this person “need” to go to jail or prison, for how long,27 and what do we need to do to keep them out of jail?” A system that diverted and rehabilitated offenders before incarceration or rehabilitated individuals that have been incarcerated and helped maintain that rehabilitation would be much less costly not only to the county budget, but also to the individual and society as a whole.28 Does an adversarial relationship really have to exist between the criminal justice system and every person that has committed a crime?

Imagine a criminal justice system that offered programs for all non-violent offenders (34.3 percent of Hamilton County, Ohio’s jailed population29) – a system that followed through and followed-up with offenders – e.g. a jobs jail diversion program, mental health jail diversion program, drug jail diversion program, etc… maybe then, over time, the ever increasing incarceration rate could see a decline. A judicial system that stressed alternative incarceration programs could change a system that now leads to an increase in unproductive, unskilled former inmates that only have experience spending time with other criminal characters into a system that produces skilled, job ready, less traumatically experienced individuals that are better able to cope with society30. The Urban Institute’s Re-Entry Roundtable notes that,


28 National Association of Criminal Defense Lawyers. Minor Crimes, Massive Waste. April 2009. PG 12. Citing the Supreme Court noting in Argersinger v. Hamlin, “the prospect of imprisonment for however short a time will seldom be viewed by the accused as a trivial or ‘petty’ matter and may well result in quite serious repercussions affecting his career and his reputation. See Also Id PGs 12-13 in Re: costs of conviction and/or incarceration.


there is a missed opportunity to expand the skill sets and employment prospects of prisoners during incarceration. If individuals emerged from prison with fortified skill sets, solid work experience, and connections to legitimate jobs at market wages – wholly better prepared to be more productive than when they entered prison – the prospects for positive outcomes in terms of earnings, family support, self-esteem, and recidivism could be amplified. In this scenario, the experiences of prisoners during incarceration could potentially offset the potential harms that a criminal record and limited skills might pose.31

A system that helps those that have committed crimes could also address a major factor associated with jailed individuals – mental health and wellbeing. The potential progress that could be made, however, is met with many roadblocks. Let’s start to break down these roadblocks by breaking through with an increased emphasis on programming inmates and decreasing recidivism. There are more than 27 programs available in Hamilton County, Ohio, and the potential to create new programs still exists (veteran diversion programs and go-green projects). Programming can not only affect recidivism, but also lower incarceration costs, and mass implementation can only better society.

There is a general attitude that becomes ingrained in a lot of jail official’s being. Most corrections officers and officials believe alternative programs don’t work, are ineffective, and simply add more costs to the system. This attitude leads to a failure to rehabilitate and is typical of revolving door justice systems. Not only do the numbers clearly reflect a pattern in opposition to the perception of Hamilton County jail officials, but the attitudes toward alternative programs show one of the weights that holds back the success of such programs; just as the perception of a bad economy holds back a market economy, so too does a negative attitude and pessimistic perception of alternative incarceration programs hold back the success of such programs. Just like Justice Brennan believed that “[i]t is only through an institution-wide mechanism that information concerning Fourth Amendment standards can be effectively communicated to rank and file officers,”32 so to does Hamilton County, Ohio’s jail leadership need to have top-down implementation of leadership that changes the attitudes of those that work with jail inmates. At the same time there needs to be transparency in programs that are offered by the court system – programs that fail must be identified and reworked through a collaborative effort between the jail and the court system.

In order for any alternative program system to be most effective, the individuals on such programs must have a mentoring system in place where everyone has an attitude and mindset that makes inmates believe they can succeed. There is no reason for a corrections officer or official to look at every person in jail and judge them as less of a person than they are. What all corrections officers and officials should do is look at the non-violent, non-habitual jailed individuals and see them as an opportunity to better not only that person, but also society in the long-run; if a further justification is needed then the fact that taxpayer costs can be reduced by


reducing criminal justice system costs should suffice. Regardless of the justification, the fact is
that in order for potential or current inmate to succeed, a measure which should also be of the
effectiveness of the criminal justice system, everyone must believe that alternatives are
successful. Recidivism can not only be reduced\textsuperscript{33}, but over time the aforementioned thinking
will not only prove cost effective, but will also be most effective.

Intellectual discourse regarding all of the aforementioned does nothing to effect a change. One
of the factors of recidivism is that individuals committing crimes are often caught, put in the
criminal justice system, and then returned to where they came from no better off than they were
when they committed the crime. Putting an individual back in the same situation that led them to
commit a crime in the first place \textit{will} increase the likelihood that they will return to the system.
When an individual is introduced to the justice system, however, the opportunity can present
itself to educate, direct, medicate and mentor these individuals; what is currently lacking with
most existing programs to educate inmates and offenders, though, is a lack of follow-up and a
mentoring system. I am of the belief that individuals are not inherently criminal; rather
individuals are often presented with a choice to act criminally either out of perceived necessity or
because of mischievous tendencies, and sometimes people make bad choices.

There is a certain number of individuals that should be incarcerated, that is a given, however
mischievous tendencies often arise from boredom, psychological sickness, or immaturity, and a
perceived necessity to commit crime often arises from some sort of deficiency – people in these
categories can be rehabilitated through education, medication, mentoring, and jobs and job skill
creation. Certainly when I looked at the inmates in Hamilton County jail as their eyes glistened
with desire to attack their newly delivered commissary items, I realized that they were taught
nothing more than lust, longing, and impatience as they sat there with their fellow likely
uneducated, bored, wasting peers… individuals that only thought of ways they could ‘get the
system back.’ Something more can and must be done, not only to reverse the trend of ‘America
the Incarcerating,’ but also to move Hamilton County, Ohio forward.

\textbf{Transition Program}

There are some issues regarding the implementation of in-house jail educational and training
programs. First of all, a county jail doesn’t usually house its inmates for a longer, more specified
time period. The average stay at Hamilton County, Ohio jail varies with the offense charged,
holds from another offense, county, city, or state, ability to get released on some sort of bond or
bail, and housing capacity (See Table 1 and Table 2). Regardless of the time spent in jail, an
opportunity presents itself to redirect and rehabilitate to some degree. Clearly in-jail programs
can exist where the inmate can start and complete the program while in jail. Additionally,
though, a transition program can and must be set up to facilitate the beginning of an educational,
trade, rehabilitation, counseling, or needs program (e.g. license acquisition, medication
acquisition, or form, facility intake, or department application completion or assistance) where
after a short-stay in jail an inmate is given the opportunity and guidance necessary to be more
likely to continue the program after leaving the jail; this mentoring system could also be

\textsuperscript{33}Ohio Green Prison Project. December 2009. PG 4. Citing: \textit{Parent Education Program for Incarcerated Mothers in
\textit{Recidivism as a Performance Measure: The Record So Far.} PGs 12-21; Urban Institute. \textit{From Prison to Work:
available to assist released inmates or people on programs when and if another criminal act begins to present itself. Any transition program should include follow-up contact with former inmates to a point where rather than being afraid to have contact with the criminal justice system former inmates can see the system as a sort of guidance counselor working in the best interest of the former inmate. I would recommend an inmate transition program follows and works hand-in-hand with Hamilton County, Ohio’s Homeless to Homes transition program.

**Ohio Green Prison Project**
The Ohio Department of Rehabilitation and Correction is working on implementing a program not only to make prisons more economically friendly, but also to educate and rehabilitate inmates while helping the prison save both their budget and the environment. The Ohio Green Prison Project (OGPP) grants state, “[t]he Ohio Green Prison Project (OGPP) aims to enhance the economic and ecological sustainability of Ohio’s prisons while simultaneously providing green-collar job training for inmates in order to reduce recidivism.”

Repeatedly demonstrated by Vera Institute of Justice practices in New York, Washington DC, and on a national scale, OGPP is exactly the type of program that Vera projects have demonstrated to be successful. OGPP is the type of job skills creation that can help return inmates to a home environment where they can utilize their newly acquired skills to succeed in life while not only decreasing costs now to the criminal justice system, but also greatly reducing recidivism and providing mentors for the future. Former inmates go back to the environment from which they came, that is inevitable, and this fact can be an opportunity. A former inmate returning to his or her community and environment with the type of skills learned from OGPP-like projects will allow him or her to serve as an example of rehabilitation and carrier of the correct message, and this will in turn help to reduce first time offenses in his or her community.

OGPP is a state prison project. However, not only is there no reason that this type of project can’t be implemented on a local level, but there is also no reason that this type of project can’t be implemented in locations other than jails and prisons. Inmates could be trained for work release and then they could help other government facilities become more economically friendly. Helping businesses go green is a skill that can put former inmates in a position to better their own lives, reduce their likelihood to recommit offenses, serve as examples of the success others in the community can have, and even help facilitate entrepreneurs that can provide their own communities with the jobs that are not only greatly needed, but also often determinative of a community’s crime rate. Strengthening this assertion, Leah Morgan and Julienne James cite the

---


35 Morgan, Leah. OGPP. *Letter of Inquiry and Grant Application Parts and Pieces*. Received on 7/14/2010.

U.S. clean energy market as “requiring relatively low educational attainment for entry,” and as
an industry that has a job skill set that is ripe both now and for the future — Ohio has received
nearly $329 million in American Recovery and Reinvestment Act funding to increase its green
economy job opportunities.

For more information regarding OGPP contact Ms. Leah Morgan at (614) 728 – 1693.

**Mentoring Programs (PVIP)**

Mentoring is a recognized and essential element to former inmate success. A concept paper
developed by the Reentry Sub-Committee of the Hamilton County Criminal Justice Commission
offenders released from prison is 13 times higher than the general population during the first two
weeks of release.” The Reentry Sub-Committee went on to cite the Bureau of Justice Statistics
(2002), which concluded that “[r]ecidivism rates for prisoners are [at their] highest in [the] first
weeks and months after release.” For veterans, mentoring resources abound – as a veteran
myself I know that we are very willing to help other veterans in need.

The past ten years have led to another increase in the number of veterans who may suffer from
PTSD or some other traumatic psychological, physical, or emotional disorder. Recognizing an
opportunity to help veterans that have committed crimes, Project VETS Intervention Program
(PVIP) has been recently received funding to assist individuals with these characteristics. The
*Project VETS Strategic Plan version 2: 5/5/10* states, “Project VETS Intervention Program
(PVIP) seeks to assist military personnel and their families suffering from Post Traumatic Stress
Disorder (PTSD) or other trauma related disorders who may become involved in the criminal
justice system. [PVIP] seeks to achieve this by providing wrap-around services inclusive of
support and intervention for the spouses, children, and other involved loved ones of the
veteran.” The PVIP program is in the early development stage, but a grant has been approved
for the program to work in conjunction with OHIOCARES, the Department of Veterans Affairs,
and Veteran Centers to assist up to 350 people over the next 5 years by placing them in the PVIP
diversion intervention program. In 2008 4.5 percent of inmates at Hamilton County, Ohio’s jail
were veterans.

---

37 Morgan, Leah. OGPP. *Letter of Inquiry and Grant Application Parts and Pieces*. Received on 7/14/2010.
39 Morgan, Leah. OGPP. *Letter of Inquiry and Grant Application Parts and Pieces*. Citing: *Region 5 – Ohio Green
43 Ohio Department of Rehabilitation & Correction, Bureau of Research. “Military Veteran.” *Profile of Hamilton
Driver’s License
Driving offenses made up 17% percent of Hamilton County jail admissions in 2006\textsuperscript{44}. Really? These people are senselessly being held in jail at a massive cost to taxpayers. Why can’t a program be implemented where individuals incarcerated for license-related offenses and suspensions could be re-licensed in the end and the situation addressed without a need for incarceration? One reason why this might be problematic is because of administrative – aka legislative – requirements, and where this is the reason then the problem must be addressed through appropriate channels… it is imperative.

That being said, King County, Washington created a diversion and relicensing program to deal with exactly the situation of having people incarcerated for driving related offenses… or the possibility of such. The “relicensing program, which is available to individuals whose license has been suspended regardless of whether they have charges pending, [gives] individuals an opportunity to pay the underlying fines that led to the suspension through community service or work crew.\textsuperscript{45} This program helps those that have been nicknamed “driving while poor” pay the fines and fees that accumulate throughout the state of Washington, and this results in significant reductions in the criminal caseloads throughout the state (such offenses comprise roughly 40% of a Washington state’s criminal filings in any given jurisdiction\textsuperscript{46}). In the first nine months of the program there was “an 84 percent reduction in prosecution filings in driving with a suspended license cases and a 24 percent reduction in jail costs, with 1,330 fewer jail days.\textsuperscript{47}”

Hamilton County, Ohio currently “[does] not have any programs related to drivers’ licenses,\textsuperscript{48}” for incarcerated individuals, which is very problematic in itself. What is more problematic, though, is the fact that there is no program or system in place in Hamilton County, Ohio courts that can help the poor become re-licensed if they have outstanding reinstatement fees or license-related costs. I have personally seen a driving record with over $22,000 in reinstatement fees, and there are thousands of superfluous cases in Hamilton County, Ohio that could be resolved in much the same manner that King County, Washington is resolving their drivers license related cases. The bottom line is that in Hamilton County, Ohio there are both people needlessly being incarcerated due to drivers’ license issues, and criminal cases are being needlessly brought at a great cost to taxpayers. Additionally, there should be zero people incarcerated for correctable, non-violent drivers’ licenses issues and offenses. The money spent on these individuals would do much more good in the hands of program directors that could actually effect change, but can’t because they don’t have the funds to do so.

\textsuperscript{44} Tombs, Barbara; Scott-Hayward, Christine; Roa, Carla; Daly, Reagan. VERA Institute of Justice. \textit{Assessment of Changes in Inmate Characteristics and Jail Management Processes in Hamilton County, Ohio}. March 18, 2008. PG 16.


\textsuperscript{48} Schmitz, Joseph. Director and Division Commander at the Hamilton County Sheriff’s Office; Cincinnati, Hamilton County Ohio. Email received 8/10/2010 (10:09:21 AM).
Funding

The Vera Institute of Justice created a chart of funding sources for the 27 programs available in Hamilton County, Ohio in 2006\(^49\). Changes in Hamilton County Programs, including expansion and modification to existing programs and implementation of additional programs and features should reasonably be funded with the existing funding options – some existing program grants may need to be revised, some existing programs will be consolidated, and some existing programs will be eliminated in lieu of consolidation and new implementation, and all programs will work with existing re-entry programs and committees.

The changes that have been suggested will take time and require many people to believe that change is both possible and will be effective. The difficulty of the required changes should not lead to a situation where nothing is being done to reverse the trends and about the problems that exist. All of the statistics and trends referred to show a clear need for change. After extensive study, interaction, envelopment, and continual daily presence, I have found that the herein recommendations I have made are the key ways to begin to effect a change the system.

\(^{49}\) See Graph 2.
Figure – 1

<table>
<thead>
<tr>
<th>Estimated Total Cases</th>
<th>Estimated Total Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where the Public Defender (PD) represents 85% of all cases (per the Public Defender's estimate)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Actual PD Caseload</th>
<th>2006 (Per VERA [Footnote 20])</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>XXX</td>
<td>53,576</td>
<td>55,252</td>
<td>46,047</td>
<td></td>
</tr>
<tr>
<td>Multiplied by</td>
<td>1.15</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual or Estimated Total Cases</td>
<td><strong>Actual Cases</strong> = 48,054</td>
<td>61,612</td>
<td>63,540</td>
<td>52,954</td>
</tr>
<tr>
<td></td>
<td>Restricted and Unrestricted Public Safety Budget</td>
<td>Restricted and Unrestricted Judicial Budget</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-----------------------------------------------</td>
<td>--------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$36,386,489</td>
<td>$115,927,199</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Justice Center Average Capacity</td>
<td>Divided by 365</td>
<td>Divided by 365</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1240 = Federal Max Capacity)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1205</td>
<td>$99,689.01</td>
<td>$101,839.53</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Redding Road and Woodburn Ave.</td>
<td>Divided by TAC</td>
<td>Divided by TAC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Max Capacity</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>232</td>
<td>69.37</td>
<td>70.87</td>
<td></td>
<td></td>
</tr>
<tr>
<td>* Steve Barnett - Director of</td>
<td>Average Cost per Inmate per Day from Budget</td>
<td>Average Cost per Inmate per Day from</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Media and Public Relations</td>
<td></td>
<td>Budget</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Average Capacity</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TAC</td>
<td>1437</td>
<td>1437</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>69.37</td>
<td>70.87</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Fixed Per Inmate Case Cost

1,824.48                           1,902.46
Inmate Cost

<table>
<thead>
<tr>
<th></th>
<th>State</th>
<th>Federal</th>
<th>Hamilton County (2010)**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Per Day</td>
<td>$62.05</td>
<td>$62.01</td>
<td>70.87</td>
</tr>
<tr>
<td>Per Year</td>
<td>$22,650.00</td>
<td>$22,632.00</td>
<td>$25,867.55</td>
</tr>
</tbody>
</table>

*2010 Figures are per the General Fund and Restricted Fund 2010 Expense Budget

**Figures for 2010 do not include $1,902.46 per charge/case cost (as calculated in Figure - 2)
Graph – 1

<table>
<thead>
<tr>
<th>Inmate Cost</th>
<th>Per Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
<td>$22,650.00</td>
</tr>
<tr>
<td>Federal</td>
<td>$22,632.00</td>
</tr>
<tr>
<td>Hamilton County (2010)**</td>
<td>$25,867.55</td>
</tr>
</tbody>
</table>
Graph 2

Breakdown of Program Funding Sources

- Federal: 5
- State of Ohio: 11
- Hamilton County: 19
- City of Cincinnati: 7
- Private Funding: 12
- Client Fees: 5
- Telephone & Vending: 4

Number of Programs

---

### Table 5

Length of Stay and Total Jail Bed Days for 2002 Admissions by Offense Type

(Excluding Cases with a Hold)

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>Number of Admissions</th>
<th>Average Length of Stay in Days</th>
<th>Total Jail Bed Days</th>
<th>Percent of Total Jail Bed Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property</td>
<td>4,010</td>
<td>14.8 (max = 458)</td>
<td>59,239</td>
<td>8.3%</td>
</tr>
<tr>
<td>Drug</td>
<td>2,725</td>
<td>14.6 (max = 356)</td>
<td>39,735</td>
<td>5.6%</td>
</tr>
<tr>
<td>DUI/Motor Vehicle</td>
<td>6,437</td>
<td>14.4 (max = 382)</td>
<td>92,370</td>
<td>13.0%</td>
</tr>
<tr>
<td>DUI</td>
<td>1,458</td>
<td>17.6 (max = 341)</td>
<td>25,679</td>
<td>3.6%</td>
</tr>
<tr>
<td>Motor Vehicle</td>
<td>4,979</td>
<td>13.4 (max = 382)</td>
<td>66,691</td>
<td>9.4%</td>
</tr>
<tr>
<td>Public/Order/Government</td>
<td>3,969</td>
<td>10.7 (max = 533)</td>
<td>42,476</td>
<td>6.0%</td>
</tr>
<tr>
<td>Person</td>
<td>4,068</td>
<td>11.8 (max = 766)</td>
<td>47,880</td>
<td>6.7%</td>
</tr>
<tr>
<td>Other Offense</td>
<td>413</td>
<td>16.0 (max = 280)</td>
<td>6,557</td>
<td>0.9%</td>
</tr>
<tr>
<td>Sex</td>
<td>398</td>
<td>22.0 (max = 201)</td>
<td>8,760</td>
<td>1.2%</td>
</tr>
<tr>
<td>Weapons</td>
<td>222</td>
<td>13.1 (max = 219)</td>
<td>2,909</td>
<td>0.4%</td>
</tr>
</tbody>
</table>

* N = 32,938; Offense Type Missing Data N = 10,696 (32.5%).

** "Sex" category includes prostitution.

*** "Other Offense" category contains: Telecommunications Harassment; Conspiracy; Attempt to Commit an Offense; Complicity; Possessing Criminal Tools; Duty to Register (sex); Notice of Residency Change (sex); Periodic Verification of Address (sex); Arrest of Probationer; Admission Tax; Income Tax Violation; Possessing Cigarettes Without Stamps; and Trafficking Cigarettes.

---

51 Tombs, Barbara; Scott-Hayward, Christine; Roa, Carla; Daly, Reagan. VERA Institute of Justice. *Assessment of Changes in Inmate Characteristics and Jail Management Processes in Hamilton County, Ohio*. March 18, 2008. PG 47.
Table 6

Length of Stay and Total Jail Bed Days for 2002 Admissions by Offense Type
(Including Only Cases with a Hold)

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>Number of Admissions</th>
<th>Average Length of Stay in Days</th>
<th>Total Jail Bed Days</th>
<th>Percent of Total Jail Bed Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property</td>
<td>1,328</td>
<td>48.0 (max = 407)</td>
<td>63,704</td>
<td>8.9%</td>
</tr>
<tr>
<td>Person</td>
<td>1,056</td>
<td>39.8 (max = 1,253)</td>
<td>42,026</td>
<td>5.9%</td>
</tr>
<tr>
<td>Drug</td>
<td>730</td>
<td>40.1 (max = 352)</td>
<td>29,280</td>
<td>4.1%</td>
</tr>
<tr>
<td>DUI/Motor Vehicle</td>
<td>1,896</td>
<td>37.0 (max = 547)</td>
<td>70,040</td>
<td>9.8%</td>
</tr>
<tr>
<td>DUI</td>
<td>121</td>
<td>44.9 (max = 355)</td>
<td>5,438</td>
<td>0.8%</td>
</tr>
<tr>
<td>Motor Vehicle</td>
<td>1,775</td>
<td>36.4 (max = 547)</td>
<td>64,608</td>
<td>9.1%</td>
</tr>
<tr>
<td>Public</td>
<td>967</td>
<td>40.4 (max = 458)</td>
<td>39,111</td>
<td>5.5%</td>
</tr>
<tr>
<td>Order/Government Other Offense</td>
<td>163</td>
<td>56.2 (max = 303)</td>
<td>9,154</td>
<td>1.3%</td>
</tr>
<tr>
<td>Sex</td>
<td>133</td>
<td>51.8 (max = 301)</td>
<td>6,886</td>
<td>1.0%</td>
</tr>
<tr>
<td>Weapons</td>
<td>48</td>
<td>79.0 (max = 387)</td>
<td>3,794</td>
<td>0.5%</td>
</tr>
</tbody>
</table>

* N = 32,938; Offense Type Missing Data N = 10,696 (32.5%).

** "Sex" category includes prostitution.

*** "Other Offense" category contains: Telecommunications Harassment; Conspiracy; Attempt to Commit an Offense; Complicity; Possessing Criminal Tools; Duty to Register (sex); Notice of Residency Change (sex); Periodic Verification of Address (sex); Arrest of Probationer; Admission Tax; Income Tax Violation; Possessing Cigarettes Without Stamps; and Trafficking Cigarettes.

---

52 Tombs, Barbara; Scott-Hayward, Christine; Roa, Carla; Daly, Reagan. VERA Institute of Justice. *Assessment of Changes in Inmate Characteristics and Jail Management Processes in Hamilton County, Ohio*. March 18, 2008. PG 47.