



## **OFFICIAL: CMBA Statement Regarding the Cuyahoga County Jail**

**December 5, 2018**

Even a cursory read of the November 21 report by U.S. Marshal Peter Elliott regarding the operations of Cuyahoga County's Jail brings to mind Dostoevsky's maxim that "the degree of civilization in a society can be judged by entering its prisons." Judged by that standard, Cuyahoga County is failing.

The inventory of problems recounted in Elliott's report is lengthy and egregious: the withholding of food as punishment; denial of mental health care; manipulation of water in sinks and toilets; improper or absence of licensure to provide medical treatment; housing children with adults; and vermin infestation in the kitchen. Most outrageous: the indefensible deaths of six inmates since June 2018. These issues are not merely disturbing, they are patently unacceptable.

In early November prior to the release of Elliott's report, the judges of the Cuyahoga County Court of Common Pleas sent a letter to County Executive Armond Budish describing "repeated attempts" to bring their concerns about the health and safety of those housed in the county jail without receiving substantive response or reaction to those concerns. "The County's indifference to the dangers created by failing to meet the needs of a very fragile and volatile prison population must end," penned Administrative and Presiding Judge John J. Russo on behalf of the thirty-four judges of the Court.

Correctional facility operations are complex. Complexity, however, cannot be an excuse for failing to take swift and immediate action to remediate unsafe, inhumane living conditions.

While we certainly do not have all the answers, the Cleveland Metropolitan Bar Association ("CMBA") stands ready to leverage the expertise of our 5500 member attorneys, judges, legal professionals and other business professionals who have a vested interest in promoting the rule of law and improving the quality of and public trust in the administration of justice. We are committed to sharing in the effort to help the County drive this necessary and long-overdue reform.

As a starting point, the focus of the CMBA's monthly "Hot Talk" next Tuesday, December 11 at noon in our Conference Center will be the county jail and pathways to reform. This free conversation is open to our members, as well as the general public. We encourage the participation of anyone interested in or concerned about the state of the jail. Confirmed speakers include Judge Russo and Brandy Carney, Director of Public Safety and Justice Services for Cuyahoga County. The program will also be streamed live on our Facebook page and thereafter will be available on our YouTube Channel.

President George W. Bush once stated, "America is the land of the second chance – and when the gates of prison open, the path ahead should lead to a better life." We, as a community, need to do all we can to ensure that Cuyahoga County meets at least the minimum constitutional requirements for confinement of persons and that each person in confinement sees a path ahead to a better life.

Signed,

Rebecca Ruppert McMahon

CEO, Cleveland Metropolitan Bar Association

### **About the CMBA**

The nonprofit Cleveland Metropolitan Bar Association operates as a center for legal professionalism in the region, promoting the highest ethical and professional standards. Serving the largest legal community in the state, the CMBA has more than 5,200 members. Learn more at [CleMetroBar.org](http://CleMetroBar.org).

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