



November 15, 2024

The Honorable Michelle D. Earley
The Honorable Diane M. Palos
The Honorable Anthony J. Russo
The Honorable Brendan J. Sheehan
Cuyahoga County Justice Center
1200 Ontario Street
Cleveland, Ohio 44113

Dear Judge Earley, Judge Palos, Judge Russo, and Judge Sheehan,

We are in receipt of your letter dated October 31, 2024.

As County Executive and County Council President, we agree that all relevant stakeholders must work together on both the jail and courthouse projects as we move forward. To date, we believe that significant and historic progress has been made on a jail project that had been languishing for more than a decade. This progress could not have been made without the input and support over the past few years of the Courts and the other justice system stakeholders on critical visionary and strategic issues.

However, while we believe that all of the justice system stakeholders should work together on the jail and courthouse projects, we do not agree that a revamped Justice Center Project Executive Steering Committee (“Steering Committee”) is the most appropriate way to accomplish our collective goals.

First, to clarify, the Memorandum of Understanding (“MOU”) that created the former Steering Committee was not created to “meet the requirements of the Ohio Revised Code and the County Charter as they relate to the building of new jails and court facilities,” as was stated in your letter. There is no reference in either the Ohio Revised Code or the County Charter calling for a Steering Committee. The one section of the Ohio Revised Code that relates to the approval of plans for a courthouse or jail creates a committee quite unlike the former Steering Committee. Further, the County Charter is silent as to the building of a new courthouse or jail. Finally, with regard to the expectation of the “signing parties” as it relates to the MOU, eight (8) of the original twelve (12) signatories to the MOU are no longer even in their positions. For this and other reasons, there is no legal force and effect to the MOU that created the former Steering Committee.

With those clarifications aside, we remain interested in being inclusive and transparent as it relates to process and we would like to continue to partner with you on these historic and community-changing projects related to our criminal justice system. That is why we are calling for the creation of the committee referenced earlier in this letter under R.C. 153.36. This section provides for the approval at the appropriate time of plans for the building of a courthouse or jail by a committee made up of the following:

- The Board of County Commissioners (3)
- The Clerk of the Court of Common Pleas
- The Sheriff
- The Probate Court Judge
- One person to be appointed by the Judge of the Court of Common Pleas.

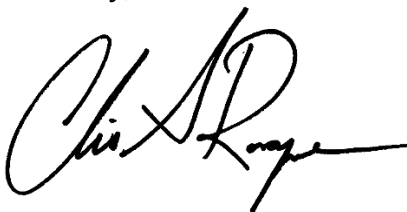
R.C. 153.36. As we do not have a board of county commissioners under our charter form of government, those slots would be filled by the County Executive or his designee, the Council President or his designee, and an individual agreed upon by both the County Executive and the Council President. 1973 Ohio Op. Att’y Gen. No. 059 (1973).

We believe that this committee should be created as soon as possible so that it will be in position to provide approval at an appropriate time to match the project delivery system that was previously approved by the Steering Committee and that is being employed for this project. This project is too critical to allow for further delays. The creation of this committee does not preclude staff members from the Common Pleas Court, the Prosecutor’s Office, the Public Defender’s Office, and other justice system stakeholders from continuing their involvement in the sessions to design the jail that have taken place over the past few months. It is just as important for the stakeholders to provide their insight into the design where appropriate.

Unfortunately, in recent days and weeks, the majority of you, invitees of the Administration, have canceled at the last minute previously-scheduled attempts to brief you on the status of the jail and courthouse projects. You were all to receive a briefing on the status of the courthouse RFP on Thursday, November 7th. This meeting had been scheduled for a month and a half. On Monday, November 4th, the County judges sent an email saying that a majority of them could no longer attend. While the Administration will work to reschedule this briefing, this is a missed opportunity to learn about what impact the judges feedback has had on the RFP process and where it currently stands. A meeting was also scheduled with all of the judges on the common pleas bench and the other courts for this Thursday, November 14th, to brief them on the status of the jail project and to get their feedback. This meeting had been scheduled for months. Unfortunately, on Friday, November 8th, the Administration learned that this meeting was being canceled. While we agree that all decisions that must be made about the jail and the courthouse must be made in an environment that is respectful to all branches of government, that respect must go both ways.

We thank you for your continued important work in our justice system and look forward to collaborating with you in the future on the jail and courthouse projects.

Sincerely,



Chris Ronayne
County Executive



Pernel Jones, Jr.
Cuyahoga County Council President