



CITY OF CLEVELAND  
Mayor Justin M. Bibb

City of Cleveland

# Proposed First Amendment to Jail Agreement

## CT6007 PS2017-251

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Committee of the Whole

*August 13, 2025*



# Summary of Proposed First Amendment

The **First Amendment** to the 2017 Jail Agreement between the City of Cleveland and Cuyahoga County introduces several key changes.

In 2018, the City closed its jails and transferred responsibility for City detainees to the County. In 2018, the City Corrections Unit employed **153 FTEs** with a budget of **\$14.7 million**. In 2024, the City Corrections Unit employed **2 FTEs** with a total budget of **\$3.9 million**.

There has not been an increase in the Per Diem Rate since 2018.

The First Amendment increases the per diem rate to \$143/day and focuses on maintaining cost-effective detention services, improving the efficiency of the booking process, and upholding the due process rights of detainees.

Cuyahoga County Council passed the amendment unanimously in an 11-0 vote.



# Key Factors to Consider

## 1. Avoids the Costs and Liabilities of Opening and Operating Jail Facilities

- This agreement spares the City the enormous financial and logistical burden of opening its own jail facilities and re-establishing a full-service Division of Corrections.
- The estimated cost of constructing and operating multiple jail facilities would far exceed the negotiated per-prisoner, per-day rates.

## 2. Faster Charging Decisions and Stronger Due Process

- Currently, arrestees may be held up to 36 hours before a charging decision is made.
- Under the new system, most charges will be filed within 12 hours (36 for homicide/sexual assault).
- This shortens detention time, which helps uphold due process rights, allows uncharged individuals to be released sooner, and minimizes legal exposure and overall costs. It also means those accused of violent felonies are potentially charged more quickly.

## 3. Promotes Efficiency and Accountability

- Requires both law enforcement and prosecutorial staff to be responsive and timely.

## 4. Improves Public Safety Coordination

- Central Booking will create a unified, efficient system that enhances coordination between agencies and ensures consistent handling of detainees across the County.



# Key Provisions

## Implementation of Central Booking:

- A collaborative effort between the City, County, and other stakeholders.
- All detainees will be processed at the CCCC sallyport for timely charging decisions and intake.

## New Charging Timeframes:

- **Felony arrests (F1–F5):** Charging decisions must be made **within 12 hours**.
- **Homicide or Sexual Assault (F1/F2):** Charging decisions required **within 36 hours**.
- **Misdemeanor arrests:** Also subject to the **12-hour** charging decision window.
- **Overnight arrests (12:00 a.m.–8:00 a.m.):** Officers must remain on-site until paperwork is completed; charging decision to occur within 12 or 36 hours depending on the offense.

## Officer and Prosecutor Responsibilities:

- Officers must stay until booking and paperwork are complete.
- City prosecutors and detectives must be present between **8 a.m. and midnight** daily to meet charging decision deadlines.

## Cost Adjustments:

- **Per diem rate** increases from **\$99 to \$143** beginning **January 1, 2026**, with **2.5% annual increases** thereafter.
- Additional increases may be requested by the County with proper justification. However, this will be subject to further negotiation.



# Financial Impact:

- In 2025, the City is paying **\$3.9 million** to the County under the jail agreement and employs two full-time staff. Of that total, the current \$99 per diem rate accounts for approximately **\$2.43 million**
- Under the new \$143 rate, the City's annual cost is projected to rise by only about **\$174,000** because operational efficiencies will reduce the average length of detention
- For context, other municipalities currently pay \$173 per day, and rates for those communities could rise significantly above \$200, subject to negotiations as County costs are expected to reach \$234 next year.
- By comparison, in 2017, the City budgeted **\$14.7 million to operate its own jail facilities**, employing 153 full-time and 7 part-time staff. **Adjusted for inflation, that would be roughly \$18.9 million today** — before factoring in the substantial capital costs needed to open multiple facilities
- This proposed agreement **avoids those financial risks and preserves about \$14 million dollars each year in savings**



# Stronger Due Process

## Currently:

- All arrestees in the existing arrangement may wait up to 36 hours before a charging decision is made

## Under the Amendment:

- Most felony and misdemeanor charging decisions must be made within 12 hours
- For homicides or sexual assaults, within 36 hours

## Impact:

- This represents a significant improvement in due process and public safety, leading to:
  - Quicker release of uncharged suspects
  - Faster case resolution
  - Reduced risk of unlawful detention claims
  - Potentially faster charging of those accused of violent felonies



# Reduction in Jail Days = Long-Term Cost Reduction

- The faster detainees are processed, the fewer days the City pays for housing.
- By charging within 12–36 hours, the City reduces:
  - Average detention length
  - Total billed days under the per diem
  - Legal exposure for excessive detention



# Recommendation

