

BRATENAHL VILLAGE
411 BRATENAHL ROAD
BRATENAHL, OHIO 44108
(216) 383-0468

AD HOC COMMITTEE MEETING
CONDUCTED VIA ZOOM

JUNE 15, 2021
5:30 p.m.

MAYOR JOHN LICASTRO
RUSSELL O'ROURKE, CHAIR
TERESA DEWS
TRACY HOEFLING
MICHAEL JEANS
THOMAS MILLER
ABIGAIL RUHLMAN

LORRAINE J. KLODNICK, RDR, CRR

3

1 DR. DEWS: Aye.
2 MR. JEANS: Aye.
3 MR. O'ROURKE: Any opposed? Motion
4 carried.
5 I see Mr. Gary isn't here, so we'll skip
6 the item I have here for him on Tri-C.
7 I believe the only additional person,
8 you hadn't attended -- Michael or Abby, had
9 either of you attended Mayor's court prior to the
10 last meeting?
11 MS. RUHLMAN: No. We did just this last
12 time.
13 MR. O'ROURKE: Okay. At the last
14 meeting, we had discussion, mostly comments, by
15 people who had attended. Can each of you, I
16 don't care which one goes first, give us your
17 impressions of what went on and I guess just in
18 general how you thought everything went?
19 By the way, you were out to watch the
20 hearings. Did you then go back with the clerk?
21 MS. RUHLMAN: Yes.
22 MR. O'ROURKE: Okay.
23 MS. RUHLMAN: I thought very much, as
24 had been mentioned before, I thought it was very,
25 very well run and handled. I think that it seems

2

1 MR. O'ROURKE: Let's call the meeting to
2 order. Do I do roll call? I forget.
3 MAYOR LICASTRO: If you don't do it, no
4 one else will.
5 MR. O'ROURKE: Oh. Who is here?
6 DR. DEWS: Teresa Dews.
7 MR. O'ROURKE: Tracy and Teresa?
8 DR. DEWS: Yes.
9 MR. O'ROURKE: Michael?
10 MR. JEANS: Yep.
11 MR. O'ROURKE: And Abby?
12 MS. RUHLMAN: Yes.
13 MR. O'ROURKE: Who is AG 3542?
14 MAYOR LICASTRO: I don't think they're a
15 member of your committee.
16 MR. O'ROURKE: Okay. So that's who we
17 have. And go forward, have you all had a chance
18 to review the minutes from the May 18th meeting?
19 If so, I'd seek a motion to accept them as
20 submitted or approve them as submitted.
21 MS. HOEFLING: Go ahead. One of us will
22 approve it.
23 MR. O'ROURKE: Okay. Any discussion?
24 All in favor?
25 MS. HOEFLING: Aye.

4

1 to be quite a fair process and even I know that
2 our magistrate, it was really quite impressive
3 how he tried really hard to make it not as
4 intimidating as court would be.
5 I thought everyone was very gracious
6 about answering our questions and all in all, I
7 thought it was a very favorable experience and
8 I'm really glad we had the opportunity to do it,
9 because I think that it does open our eyes to
10 something that we don't have much experience with
11 and allows us to then when we reread the, you
12 know, all the things that are going forward, I
13 think it adds, puts a better perspective on it
14 all for us.
15 MR. O'ROURKE: When you were in the
16 back, did you happen to see them working with
17 people to try and make payment arrangements?
18 MS. RUHLMAN: Yes, we saw that, and that
19 was -- again, it's something where they are, you
20 know, the defendants are obviously nervous and I
21 think that they do a really nice job of helping
22 them through the process.
23 So even with the payment process, they
24 made it very clear how to do it and she was
25 absolutely very kind about if you had trouble

1 paying, how it was going to be handled and, you
2 know, really explained. If there was any
3 questions, they were always answered.

4 MR. O'ROURKE: Okay. Good.
5 Michael?

6 MR. JEANS: I attended May 25th, and I
7 found the process to be a bit similar. I did
8 observe or notice that it didn't seem the
9 defendants knew, they weren't comfortable all the
10 time coming into court, and I was wondering
11 whether they knew what their rights were and I
12 would learn that there's a your-rights piece of
13 paper that they're provided when they first walk
14 in and they have an opportunity to ask any
15 questions and they received that again.

16 Specifically, I was interested in
17 whether they had an understanding of what a
18 guilty plea and no-contest plea and not guilty
19 plea means, what the implications are, since most
20 were not represented by counsel. It's clearly
21 spelled out. So that allayed the concern that I
22 had initially.

23 I would say that the process seemed
24 fair. I think each party I observed had an
25 opportunity to present themselves and I believe
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1 as we heard previously, it was more common than
2 not for there to be a reduction in offenses that
3 were charged, whether it was a reduction of
4 speed, you know, at which reduced the number of
5 points that would be assigned, or number of
6 infractions.

7 So all in all, I thought it was a good
8 experience and then going to the back, I did
9 observe that for folks who had been in the
10 process for a while, so maybe hadn't paid to
11 satisfy their obligation over time, the Court,
12 the clerks, the individuals working there have
13 taken an interest in knowing who these folks are.

14 So when a name comes up, they know who
15 that is, they remember what the conditions were
16 and might be that are preventing folks from
17 paying and working with them. The person that is
18 working directly to make arrangements was
19 incredibly approachable and treated each person
20 with dignity.

21 MR. O'ROURKE: Okay. Good.
22 MAYOR LICASTRO: Russell, may I give you
23 a little kernel of information? So the
24 individual you're talking about is Angela Takacs,
25 who is our Zoom administrator. She does this for
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1 us as well.

2 So Angela is our deputy clerk of courts.
3 I spoke to her earlier and I asked her to be
4 available if anyone on the committee would like
5 to ask her a question. We have her, although you
6 can't see her face, it's the Village of Bratenahl
7 logo. If you want to ask her anything, she's
8 available for questions on this meeting.

9 MR. JEANS: I appreciate you doing that.
10 Given it's a public meeting and recorded, I
11 didn't want to offer up a name unnecessarily, so
12 I appreciate you laying out the platform.

13 Angela, I would just ask you in your
14 role, what is your approach when a person comes
15 up and they have an outstanding fine or fee to
16 pay to the Court, what is your process when
17 you're thinking about how to approach the person?
18 If you could walk us through when the person
19 shows up, what is your goal and what is your
20 process in taking care of the matter?

21 MAYOR LICASTRO: Ang, you're muted.

22 MS. TAKACS: I've been doing this since
23 May. You would think I would notice that.

24 When they approach me, I give the same
25 information. I say, your fines and costs came
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1 out to this. How would you like to do this? And
2 then I get, you know, I'm on a fixed income, I'm
3 unable to pay at this time, can I pay later.

4 So I talk to them. I talk to them like
5 people, you know, I just approach them
6 individually and I say, okay, let's say, for
7 example, they're on a fixed income, meaning SSI
8 or disability. You know, of course, I don't want
9 to take all your disability money. You know, I
10 don't want to do that.

11 So I would initially say, can you come
12 up with \$25 within two weeks. How about, when is
13 your check due, okay, and I know checks are in
14 the beginning of the month and that's all their
15 income. So I don't want to sit there and say,
16 give me half. That's not fair. So I would say,
17 okay, you do have to pay at least \$75, but let's
18 try can you do \$50?

19 Everyone is on a one-to-one basis and I
20 try to work with people on a one-on-one basis.
21 Everybody's situation is different. Most people
22 come up and they say, yeah, I want to pay it
23 right now, or I'll say we have a 90-day time to
24 pay. Everybody gets that option. A lot of times
25 people have the money, but, you know, you have
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1 unexpected expenses coming up, you got a bill
2 coming up.
3 So I just try to walk them through the
4 process as comfortably as possible without making
5 them feel intimidated like they're going to go to
6 jail or, you know, it's really just trying to --
7 we're trying to get some sort of action from
8 people.

9 I find that if you are more
10 understanding, they're understanding. Then
11 they'll try to work with you more so, as opposed
12 to being really aggressive saying you must pay
13 now. Then they get hostile and it doesn't work.

14 So people with like OVI's, you have to be
15 a little bit more because of the degree of the
16 offense, but even with those people, I don't
17 force them to, you know, their court costs are
18 \$235, for example. Sometimes they don't have
19 \$235.

20 So if you can't pay it now, you can tell
21 me when you can pay it. You tell me when it's
22 available to you, when it's comfortable for you
23 to pay, and I'll mark that down. If you can't
24 pay it on that day, just give us a call. Give us
25 a call, let us know what's going on. As long as
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1 you keep us abreast of what your situation is,
2 then we can work with you, but if you fall off
3 the face of the planet and you disappear, then we
4 have to take the proper steps when need be.

5 MR. JEANS: That approach, from my
6 observation, from the time that I was there,
7 yielded the person on the other side of
8 the counter --

9 MAYOR LICASTRO: Michael, could you
10 speak up a little bit? I'm having trouble
11 hearing you.

12 MR. JEANS: Sure. My observation was
13 more times than not the person on the other side
14 of the counter after engaging with Angela was
15 interested in paying their obligation as soon as
16 possible, and that may not be what some might
17 assume would be the approach. When given the
18 options to pay over time, these folks said, I'll
19 pay that in two weeks after my next paycheck or I
20 have most of that, or I'd like to take care of
21 all of that now.

22 So the approach Angela is taking is not
23 yielding a reaction or taking advantage of it.
24 It seems to be, at least on the evening that I
25 was at the Court, a reaction met with the same
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1 level of decency and kindness. I saw more folks
2 satisfying their obligations, wanting to do so,
3 and I'm inclined to say it's maybe an
4 accommodation of who they are as well as how
5 Angela approaches them.

6 MS. TAKACS: Yeah, people are people and
7 they want to be treated fairly. They want to
8 walk out of there feeling they were treated
9 fairly. If they have any questions about what
10 happened in the courtroom, I do tell them would
11 you like to go back, would you like to go back to
12 speak with the prosecutor, get some
13 clarification, because, yeah, they are nervous.

14 You're in there, it's intimidating.
15 You're sitting down, but I always want people to
16 leave feeling like they understand what is
17 happening. I answer all questions and if you
18 don't understand when you're leaving there, like
19 you go home, I say, call back the next day. You
20 can ask us anytime if you have questions about
21 it. If you got to come back, that's fine.

22 It's all about just making people feel
23 comfortable with the process. Nobody likes to go
24 to court. I don't like to go to court. I also
25 don't want to feel like I'm being pigeonholed or
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1 I'm being forced to do something.

2 So it's just what Julie and I do and
3 what the magistrates do and the prosecutors.
4 We're here to help you. We're not here to hurt
5 you.

6 DR. DEWS: Angela, this is Teresa Dews.
7 I have a question about that. You obviously do a
8 really good job. Do you guys have any idea of
9 how many people you actually end up having to go
10 through the process where they're not paying and
11 then having to do an additional citation or
12 putting them, you know, at risk for a warrant or
13 forfeiture of their license due to their
14 inability to pay?

15 Just from what you're saying, I would
16 assume that would be very low, but do you have
17 any numbers that would give us a hint as far as
18 how that goes?

19 MS. TAKACS: Not at the moment. Let's
20 say a docket in and of itself, after tickets are
21 written before any waivers are paid, they can
22 range from, I don't want to give any specific
23 numbers, but what you see in court has dwindled
24 down a lot because a lot of people pay their
25 tickets before. So when people come through the
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1 court, I would say at least half. It just
 2 depends especially on the time of the month as
 3 well when court appearances are.
 4 If you're at the beginning of the month
 5 and rent is due, you're not more inclined to have
 6 all your money, you know. But mid month, courts,
 7 you can usually find -- I mean, it just depends
 8 on each court really. There's no way of knowing
 9 for certain.

10 So let's say 20 people came to see me
 11 and ten paid and ten are on time to pay and of
 12 those time-to-pay people, half of those people,
 13 so five of those people are supposed to come back
 14 with their court costs within a month, let's say,
 15 30 days. Of those five people, I'd say maybe at
 16 the most three.

17 So at that point those other two people
 18 who didn't make any action, made no attempt to
 19 pay, we still sent notifications out saying, hey,
 20 you told the court you were going to pay this on
 21 this day and that's done like 60 days, it's 60
 22 days or so, or even more.

23 You know, we give people ample time to
 24 satisfy their debts before we take any sort of
 25 punitive action, before we send a forfeiture and
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1 forfeit their license.
 2 So warrants are issued to those
 3 individuals who are mostly at this point for OVIs
 4 who don't show; but even those people don't get
 5 warrants right away. We allow at least one court
 6 to pass before we issue a warrant for their
 7 arrest.

8 So that gives them opportunity, because
 9 a lot of times a day after court, most of the
 10 time, they'll call and say, oh, I forgot we had
 11 court. Oh, man, I forgot. I'll say, okay, I'll
 12 just continue you to the next court date. You
 13 make sure you make that appearance. If you do
 14 not make that appearance, a warrant will be
 15 issued for your arrest.

16 That's specifically for OVI's. We have
 17 to be more stricter for OVI's than let's say a
 18 DUS and a seatbelt. So we give people a lot of
 19 time to satisfy the Court orders before we take
 20 any sort of action.

21 It's funny because a lot of times it can
 22 be years, you know, because if somebody says
 23 they'll call me midway through their time to pay,
 24 say, I need more time, I'll say, okay, I'll give
 25 you another 30 days. So then that starts their

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1 clock over again and then I have to wait.
 2 Then when we do an audit of the drawer,
 3 you know, I look at every individual case before
 4 I do any sort of forfeiture and I say, oh, this
 5 person said they'll pay it in the coming week, so
 6 I'm not going to do anything with that person.
 7 It's not fair, because they think -- I understand
 8 life happens and you just forget. People forget.

9 So there's no hard number I can tell you
 10 only because every Court is different. We used
 11 to have 120 courts. Of course those numbers were
 12 more than 50 dockets. So, I mean, it just
 13 depends, depends on the court.

14 Hope that answers your question.

15 DR. DEWS: Thank you.

16 MAYOR LICASTRO: Russell, if I may,
 17 William was at the last court I believe with Abby
 18 and he went in the back and saw Julie and Angela
 19 do their thing. I think he asked Angela
 20 something along the lines of are you this kind
 21 and personal with all of the defendants and I
 22 think you can see by her demeanor her answer was,
 23 yes, we are. It's just the way we operate. It's
 24 a way to be efficient.

25 She mentioned briefly OVI's. The most
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1 serious offenses we hear are OVI's. There's not
 2 as much latitude of what we allow OVI offenders
 3 than we do just general misdemeanors.

4 MR. O'ROURKE: And that's by statute?

5 MAYOR LICASTRO: Well, if you think
 6 about it, if you speed or you don't have a
 7 seatbelt on, whatever, those are just minor
 8 misdemeanors. OVI's are a much more serious
 9 offense.

10 The fines are higher. The consequences
 11 are greater. There's a three-day intervention
 12 program they have to go to. There's a forfeiture
 13 of license automatically for a period of time. I
 14 mean, it's just much, much, much more serious. A
 15 lot of that is just the logic of having people
 16 driving while drunk.

17 Mothers Against Drunk Drivers in the
 18 last few years has insisted the legislature make
 19 these offenses more severe to try to encourage
 20 people to not drink and drive. So by statute, by
 21 law, there's not as much parameters, not as much
 22 flexibility we have on OVI offenders as we do
 23 with just general misdemeanors.

24 MR. O'ROURKE: Thanks. A while ago, Tom
 25 Miller joined us.

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1 Tom, have you had an opportunity to go
2 to Mayor's court?

3 MR. MILLER: Oh, yes. I was there with
4 Teresa.

5 MR. O'ROURKE: Okay. Everyone has been
6 giving their impression of what Mayor's court is
7 and then what you were just seeing is people who
8 have attended, then asking Angela any questions
9 that they had. Do you want to give us your
10 impressions of Mayor's court?

11 MR. MILLER: Well, I sort of did the
12 last time when I was there. I thought that it,
13 the court, bent over backwards to be
14 accommodating. I got the strong impression that
15 people are far better off from a convenience
16 standpoint and orderliness standpoint and
17 everything else to be going to court at Bratenahl
18 Village Hall. The other option would be the
19 Cleveland court.

20 Having gone to Cleveland court once
21 myself a number of years ago, it's no fun. You
22 take all morning or something like that. Here,
23 basically most people go after work and that.
24 It's pretty quick.

25 MR. O'ROURKE: Any questions for Angela?
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1 MR. MILLER: Nothing in addition, no. I
2 just heard her explanations before. I think they
3 do everything they can to really have an outreach
4 to people to make it all work. I think if
5 people -- some people are going to abuse the
6 system, but like I say, most people are going to
7 be all right, try to comply with what they've
8 agreed to.

9 MR. O'ROURKE: Great.

10 MAYOR LICASTRO: Russell, may I offer
11 something briefly? One thing that was so
12 disappointing if not startling with the ACLU
13 report, we're not treating people differently now
14 than we did while ACLU was there or prior. This
15 has been the way we've operated this court for
16 decades.

17 So their conclusions and what they
18 observed, for instance, what they observed is
19 exactly what you all observed. How they came to
20 conclusions so different than the reality is why
21 we object so strongly to the obvious flaws in
22 that report.

23 Angela was a dispatcher for us for many
24 years when we saw a dispatch center. She's been
25 deputy clerk of courts, I'm not sure, how long

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1 has it been, Angela? How long have you been
2 deputy clerk?

3 MS. TAKACS: Always. You're always a
4 deputy clerk. Julie has been here 20 some years.

5 MAYOR LICASTRO: 20 some years. This is
6 not something we did in reaction to the ACLU.
7 It's always the way we've operated, which is,
8 again, why we find the ACLU report so flawed.

9 MS. TAKACS: And I also want to add when
10 they came and observed us, a member of the ACLU
11 watched me do time to pay and took notes while I
12 was doing it, so I don't know --

13 MAYOR LICASTRO: In their report they
14 say we do not offer time to pay, which is --

15 MS. TAKACS: She watched me do it. Both
16 of them, both people. Maybe -- I don't know how
17 that determination came about that we didn't, but
18 it's something we've always offered and I guess
19 it just fell with a rotten bunch, I guess.

20 MR. O'ROURKE: Tracy or Abby, do you
21 have any questions?

22 DR. DEWS: I don't have any questions,
23 but reflecting on the previous comments relating
24 to the ACLU report, I had the distinct impression
25 and at the last meeting one of the things that I

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1 identified were that many of the items in the
2 ACLU report were generalized to Mayor's court in
3 general across the state and were not specific to
4 their observations in Bratenahl.

5 MAYOR LICASTRO: You're correct in that.
6 Look, there are a lot of Mayors' courts. I think
7 I mentioned this before. Linndale was a classic
8 example. It didn't operate in the same manner
9 that, you know, abused the revenue; 80 percent of
10 their revenue in total was Mayor's court.

11 You're right, Teresa. I think that a
12 lot of it was general and talk about courts, but
13 Bratenahl was also mentioned specifically and,
14 which again, we found so hard to understand
15 because they spent -- I think they attended four
16 or five courts. It wasn't just a one-time shot.

17 I think a lot of that was to try to
18 convince the general assembly, if not the supreme
19 court, to abandon Mayors' courts, which is not
20 something we hear being discussed in the general
21 assembly. Believe me, they have enough on their
22 plate with income tax and COVID and things like
23 that, but that's an accurate observation. I
24 think a lot of those comments to Mayor's court
25 were just general to courts across the State.

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1 MR. JEANS: I think that's a good
2 distinction to make, Teresa. I'm glad you raised
3 it.

4 What I observed in Bratenahl's Mayor's
5 court, I do that as a separate matter than the
6 matter of how Mayors' courts function across the
7 State. I didn't have any indication or insight
8 to suggest that all Mayors' courts operate the
9 way Bratenahl's Mayor's court functions.

10 So there could be some issues or
11 challenges there. I imagine they're not all the
12 same, as it relates to our charge and scope for
13 Bratenahl's Mayor's court.

14 I'd also like to add, before I close out
15 that thought, it's probably misleading that folks
16 understand this to be a Mayor's court. It sounds
17 like you, Mayor, are sitting on the bench making,
18 you know, rulings and determinations. That's not
19 quite accurate either.

20 So I think from what I've observed, I
21 appreciate the activity and humanity that happens
22 at Bratenahl's Mayor's court. Frankly, I'd
23 rather go there than perhaps some of the
24 alternatives if I had to.

25 MAYOR LICASTRO: In full disclosure, I
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1 have sat as a magistrate. I will on occasion. I
2 don't handle the most egregious cases. I'll let
3 the magistrate handle those. It is my court.
4 I'll occasionally stop in just to oversee
5 function.

6 You know, the clerks and I work in
7 concert to make certain we follow the mandates of
8 the Ohio Supreme Court. You know, if you read
9 the ACLU report, there's some Mayors' courts
10 where the magistrate gets a percentage of the
11 fines or fees. That's not how we do business in
12 Bratenahl. That really is flawed.

13 But in full disclosure, I did more
14 courts in the past than I'm doing now. You know,
15 Bauernschmidt has been there for 25 years;
16 John Murphy for more than 20. I mean, all of our
17 court personnel, they're actually some of the
18 most tenured employees we have.

19 MR. O'ROURKE: Angela, how do you know
20 how to do your job? I know you've been doing it
21 for a long time, but is there a manual that says
22 we have to get at least this many dollars? I
23 think you said \$75 before, or this is just --

24 MS. TAKACS: No, that's just how, that's
25 how the court costs are broke down. There's no
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1 manual. Really, when I started to do the courts,
2 Julie trained me. Julie trains everybody how to
3 be a deputy clerk when you first start working
4 there.

5 When I started doing the time to pay, I
6 would just fill in once in a while, but there's
7 no actual manual. Julie tells you, this is how
8 it is and you tell them time to pay, what to ask.

9 If I have any questions about
10 individuals, I just ask Julie. So I say, Julie,
11 this individual says, you know, that they can't
12 do this for two months or, you know, she'll say,
13 okay, let's give them that time and let's, you
14 know, we'll get in contact with them or you can
15 contact us.

16 So there's no specific training, per se.
17 You know, it's not like when I was a dispatcher
18 you have to go to dispatch training. There isn't
19 anything that's really offered for that. You
20 just learn how to talk to people. Even being a
21 dispatcher, you learn how to deal with people in
22 different situations. That's how I learned.

23 MAYOR LICASTRO: Russell, for clarity,
24 when we swear in a police officer, part of the
25 oath also swears them in as deputy clerks of
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1 courts. That's a way to be expedient. That way
2 if somebody comes in on the weekend to make a
3 payment or to get a tow release, tow releases are
4 a big part of what we do, because people want
5 their cars back. Officers are sworn in as a
6 police officer and as deputy clerks so they can
7 perform in that function if indeed it's not the
8 normal working hours for our court personnel. So
9 every police officer is also a deputy clerk.

10 MS. TAKACS: Deputy clerk is not
11 necessarily about the tow releases. That's a
12 police function, but that's something we as
13 dispatchers always did, so that's why I still do
14 it. That's a separate, that's a police issue
15 really. It's not so much a court function.

16 MAYOR LICASTRO: So everyone
17 understands, when we impound a car, it's towed,
18 usually to St. Clair Auto Body. We've dealt with
19 them for years. If someone is inebriated or
20 there's all kinds of circumstances where, you
21 know, we will tow a car, people want to come in
22 and get their car back. They need their vehicle.

23 So the tow release is something that,
24 she's right, it's done by the police. They have
25 to pay X amount of dollars for the tow to get it

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1 released. We'll do that even outside of normal
2 court hours, even over the weekend, even when we
3 were technically closed, so that people could get
4 their vehicles back.

5 MR. O'ROURKE: Okay. So that covers two
6 parts of the three-legged stool that we have.
7 The other one is the actual police work. And the
8 mayor has made us available to have ride-alongs
9 with the Bratenahl police. How do we schedule
10 that, Mayor?

11 MAYOR LICASTRO: Well, you really need
12 to go through me and I'll go through the chief.
13 You have to sign a waiver. It's got to be when
14 staffing permits it, obviously. It wouldn't be
15 for many, many hours. It would be for a set
16 period of time.

17 Our main concern is keeping everyone
18 safe, including police officers, residents, and
19 those riding along. So it's a bit of a stilted
20 process. We rarely offer it, but this forum, I
21 think, is germane to having you see that side of
22 the ledger.

23 When you come to court, there's things
24 that have already happened prior to that. I
25 think to see how these stops are initiated will

1 mayor and if we can all manage to do this, have
2 it accomplished by the next meeting.

3 DR. DEWS: I have a question. Mayor, do
4 you have a sense of from a timeframe, is there a
5 time block that tends to get the most activity
6 from the standpoint of working with the police
7 that we can anticipate our schedule?

8 MAYOR LICASTRO: Absolutely. But you
9 don't want to be there at 2:00 in the morning,
10 because that's really when we get most of our
11 OVI's. So I'm not asking you to do that.
12 Believe me, you'll get plenty of activity in a
13 9-to-5 fashion. Is there more activity than
14 others with timeframe? Yeah, at night is when
15 the real stupid stuff happens.

16 MR. O'ROURKE: And probably less safe to
17 be out there.

18 MAYOR LICASTRO: Yeah. Again, your
19 safety is paramount. You know, I mean I drove on
20 the freeway today, I must have seen four or five
21 people going well over a hundred miles an hour.
22 It's terrifying out there.

23 We'll make sure you're safe, but to
24 answer your question, 2:00 in the morning, my
25 recommendation is don't be there at 2:00 in the

1 give you further insight more to Russ's point in
2 how the police function in their duties as police
3 officers and peace officers and how things start
4 there.

5 We can do that now. It's summertime.
6 So I would say go through me. It could only be
7 one at a time. We'll run through the chief and
8 make certain we can make ourselves available.

9 MR. O'ROURKE: Okay. So please,
10 everyone, contact the mayor in the next -- are
11 you going to be around, Mayor? Will next week be
12 a good time to contact you so we can start
13 scheduling this?

14 MAYOR LICASTRO: Yeah. If you can, if
15 you can avoid the third weekend of this month,
16 which is this week, because it's our council
17 meeting, but look, I'm available 24/7. I'd
18 rather have a set schedule.

19 One thing I ask, if you commit to it,
20 please follow through, because we'll have made
21 arrangements with officers to make themselves
22 available as well. So just contact me anytime
23 and we'll make it happen.

24 MR. O'ROURKE: So, please, I'd ask
25 everybody do their best to get in touch with the

1 morning. It's like your ER doctor. I bet you
2 have more activity in your emergency room in the
3 middle of the night as well.

4 DR. DEWS: The witching hour.

5 MAYOR LICASTRO: That's right, the
6 witching hour.

7 MS. HOEFLING: The officer that
8 unfortunately was hurt the other day, that was
9 probably in the middle of the night as well,
10 right, Mayor?

11 MAYOR LICASTRO: It actually wasn't that
12 late in the evening. We had a storm.

13 That officer is still recovering, by the
14 way.

15 MS. HOEFLING: I'm sorry.

16 MAYOR LICASTRO: So are we. That was
17 the third time he was hit. I mean, anyone that
18 implies the officer's job in Bratenahl is less
19 dangerous than other communities really has no
20 idea what they're talking about.

21 MS. HOEFLING: It was a drunk driver
22 that hit him, correct?

23 MAYOR LICASTRO: In this case it was
24 not. It was an individual that lost control.
25 The other two times they were inebriated.

1 Unfortunately, one reason why you don't
2 see red lights on police cars anymore, they've
3 gone to blue, is they found that something in a
4 drunk person's visual acuity made them sort of
5 attracted by the red lights and they would be
6 more apt to hit a police car. They've gone to
7 blue lights on the vehicles to try to lessen
8 that.

9 But still, you know, we often find where
10 there's a collision on the highway involving a
11 drunk driver and one of our police officers, they
12 never even hit the brakes. They hit them at
13 speed.

14 The video, on-dash video and BodyCam of
15 that moment of impact, is absolutely terrifying
16 of the, you know, that you're violently thrown
17 around in a car.

18 Any of you that have been in an
19 accident, it happens in a moment, but what
20 happens to your body in that moment is just
21 terrifying. If you're sitting in your vehicle
22 and someone hits you going 60 or 70 miles an
23 hour, we're fortunate we have not had more
24 serious injuries. We've had a couple officers
25 come close to being a fatality through the years.

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1 I often wonder in the middle of the
2 night if I had to do a eulogy in Bratenahl what
3 would I say to the family, but thank God we've
4 not had that. It's a dangerous, dangerous place
5 out there. If you do a ride-along, we'll make
6 sure you're safe.

7 MR. O'ROURKE: At some point I'd like to
8 talk about our initial thoughts on any
9 recommendations we have. I think it might be too
10 early because we've only gone through two of the
11 three processes so far. They've seen the court
12 and they have seen the clerk's duties. We
13 haven't been on the ride-alongs yet.

14 Does anybody have any different
15 thoughts? Do we want to discuss it now or put it
16 off until we have had all of the opportunity?

17 All of you don't have to do a ride-along
18 if you don't want, but it's available to anybody
19 who does want to.

20 Anybody have any thoughts on our initial
21 concept of where we're going here?

22 MAYOR LICASTRO: Russ, before you go
23 down that path, so part of your charge is to look
24 at our police policy and procedures. I hope at
25 some point in time after we review those we can

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1 have a similar dialogue about some of those as
2 well. That's an important part of this process,
3 so please keep that on your radar.

4 MR. O'ROURKE: Very good.

5 Next month, the July meeting coincides
6 with Mayor's court; thus, we don't have the
7 opportunity to have our administrator help us
8 there, so we need to either move the date or skip
9 the month.

10 MAYOR LICASTRO: Let me just add
11 something else.

12 So it is likely that the general
13 assembly, who has allowed virtual meetings such
14 as this to occur, is going to rescind that
15 privilege at the end of June, which means in July
16 we're probably going back to face to face.

17 Now, I'm trying to come up with a hybrid
18 format. We can do it at Village Hall where we
19 can both have people in the room, those that vote
20 would have to be in the room, and also have
21 people that are able to stream and participate
22 virtually. It's the only building where we have
23 the proper WiFi support.

24 Angela Takacs is our IT savant. She's
25 trying to help me figure this out, but this forum

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1 is soon going to be a thing of the past. The
2 Democrats allowed, had a bill saying that we
3 could do virtual meetings until the end of the
4 year. The Republicans have taken exception to
5 that.

6 They are voting on the budget. That
7 item is part of the budget. I think we'll know
8 in the next few days whether or not we can
9 continue in this format. If we can't, either we
10 go back to the old form of person to person or
11 come up with a hybrid format that works as well.

12 MR. O'ROURKE: Okay. That severe
13 likelihood is we will be in person for the next
14 one.

15 MAYOR LICASTRO: Yes. I think July, I
16 think it's more than 90 percent chance we're
17 going to be going to some form of in-person
18 meetings again.

19 MR. O'ROURKE: So do we all still have
20 the opportunity to meet at 5:30 if we have to do
21 it in person? I mean the committee members.

22 MR. JEANS: Works for me.

23 MS. HOEFLING: Fine with me.

24 DR. DEWS: I'm okay with that as well.

25 MS. RUHLMAN: I am also.

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1 MR. O'ROURKE: I think because of the
2 conflict with Mayor's court and where we are with
3 the summer that we should just skip July and move
4 on to August and that will give us a chance to
5 get through the ride-alongs as well as the police
6 manual. So unless somebody has a different
7 opinion, I would suggest we do that.

8 Hearing none, we'll just move it onto
9 the third Tuesday in August.

10 Is there any old business?

11 DR. DEWS: Russell, this is Teresa
12 again. I do have another question.

13 There was an e-mail that -- for a share
14 point site for this group and I'm not able to get
15 on. Should I discuss that with you off line?

16 MR. O'ROURKE: Sure.

17 DR. DEWS: Okay.

18 MR. O'ROURKE: New business?

19 Members of the audience, do we have any
20 questions or comments?

21 MS. MEADE: I have some questions,
22 Russell. It's Pat.

23 MR. O'ROURKE: Yes, Pat. Go ahead.

24 MS. MEADE: Thank you.

25 Last Tuesday there was a conflict

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1 between Mayor's court and I think it was an ARB
2 meeting and there was some kind of instruction
3 that said after the ARB meeting people could
4 access the court. I know besides myself, a
5 couple of others tried to access the Mayor's
6 court via Zoom so we could watch and observe. We
7 were not able to see anything.

8 Angela, do you have any feedback on that
9 and can we get like a copy of the CD of that
10 court session?

11 MS. TAKACS: The court is not recorded.
12 It's a live stream. Pat, I did see you come on.
13 I did not see anybody else come on.

14 What happened was I had defendants at
15 the time and court was in active session. The
16 magistrate had people in the courtroom, so I had
17 to wait until there was a lull for me to start
18 the recording -- I mean, to start the meeting.
19 It's not recorded. So that's what happened. I
20 did see you entered a room, but I did not see
21 anybody else attempt to enter a room.

22 MS. MEADE: Yeah, and I didn't know --

23 MS. TAKACS: Go ahead.

24 MS. MEADE: Not knowing that, I didn't
25 know that I should have just waited and it might

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1 have come on eventually.

2 MS. TAKACS: Yeah.

3 MS. MEADE: I just know I kept trying a
4 couple of times and it just wouldn't work. I
5 know at least two other people told me that they
6 tried and they couldn't get access, so I --

7 MS. TAKACS: Well, I get notification
8 when individuals are trying to enter the room and
9 I only got yours. I didn't see anybody else.

10 So when that happens, if I'm with
11 defendants, I'm going to take the defendants
12 first, obviously.

13 MS. MEADE: Sure.

14 MS. TAKACS: And I'm not going to run
15 over to the courtroom with the magistrate with a
16 defendant in front of him and start his Zoom
17 meeting, I mean, the Zoom feed. So I have to
18 wait. So there was a lull, but I did start the
19 feed until court was over.

20 MS. MEADE: So just so you know, the
21 public didn't know that that's what could happen
22 and what we should have been doing.

23 MS. TAKACS: Pat, you're the only one
24 who I saw get on.

25 MS. MEADE: Okay. And then for the

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1 agenda for today, it says, approval of minutes,
2 old business, new business. It would be helpful
3 if there's specific items that they be listed on
4 the agenda.

5 MR. O'ROURKE: Yes, that was my fault.
6 I had one. I meant to send it. I didn't attach
7 it so we just had --

8 MS. MEADE: Generic. Thank you.

9 My memory might be wrong, but when I
10 read the ACLU report way back when, I believe one
11 of the comments specific to Bratenahl dealt with
12 the number of minorities that were being ticketed
13 and I didn't know, since all of you are attending
14 Mayor's court, if you have observed anything
15 referencing the mix or the make-up of those that
16 are being ticketed or not and if there were any
17 questions from observations.

18 MR. O'ROURKE: Well, I asked that
19 question when I had attended Mayor's court and
20 they -- the make-up of the people attending court
21 was quite an imbalance between people of color
22 and not. However, when I asked about that, they
23 said there are so many people who pay online and
24 that just by coming to Mayor's court you can't
25 tell.

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1 MS. MEADE: Okay. Okay. And then
 2 lastly --
 3 MAYOR LICASTRO: Let me comment on that,
 4 please. There's an implication we should racial
 5 profile. We do not. We cite people that break
 6 the law. We cite people that drive through our
 7 community. There are different demographics
 8 around Bratenahl than in Bratenahl itself, so if
 9 we have more black or brown or white or green,
 10 it's just a matter of chance. To assume that we
 11 racially profile is just plain wrong.

12 MS. MEADE: And then with respect, the
 13 mayor was making a reference to a comment about
 14 that Bratenahl isn't dangerous or I don't know
 15 how he described it saying that the person said
 16 something like that. And I believe for proper
 17 context of a comment that was said during a
 18 meeting was that they were referencing that
 19 Bratenahl does not have the same volume and maybe
 20 severity of crimes because the police chief has
 21 said that Bratenahl doesn't have crime.

22 So I think they were just talking about,
 23 for example, we don't have the same quantity of
 24 rapes or murders or thefts or break-ins as other
 25 communities; therefore, we are not as dangerous

1 as other communities. I think that was the
 2 proper context that was intended, just to
 3 clarify.

4 MAYOR LICASTRO: Maybe that's what you
 5 intended. It's not what you said, and I don't
 6 really want to discuss that further.

7 MS. MEADE: Well, just to set the record
 8 straight so you are not misinforming people.

9 MAYOR LICASTRO: Well, the minutes are
 10 available. People can read them and judge for
 11 themselves.

12 MS. MEADE: Right. So that's all I had,
 13 so thank you very much.

14 MR. O'ROURKE: Thanks, Pat.

15 Anyone else? Okay. Hearing none, I
 16 take a motion to adjourn.

17 MR. JEANS: I want to say in closing, I
 18 observed infractions of the 86 miles per hour in
 19 a 60, 105 miles per hour in a 60, 130 miles per
 20 hour. I don't know what profile that draws, but
 21 those were examples of some of the folks who were
 22 in the court that I observed that evening.

23 I made a point, I made it a point, the
 24 130 was an OVI. So I just think it's important
 25 to have context around why folks, some of the

1 folks are at the Bratenahl court.

2 MS. MEADE: Thanks, Mike.

3 MR. O'ROURKE: Yes, thank you for
 4 sharing that.

5 Okay. So is there a motion to adjourn?

6 MR. MILLER: Motion.

7 MR. O'ROURKE: Is there a second?

8 DR. DEWS: Second.

9 MR. O'ROURKE: All in favor?

10 MS. HOEFLING: Aye.

11 DR. DEWS: Aye.

12 MR. JEANS: Aye.

13 MS. RUHLMAN: Aye.

14 MAYOR LICASTRO: Thank you, everyone.

15 Thanks for your time.

16 MR. O'ROURKE: We'll see you in August.

(Meeting adjourned at 6:22 p.m.)

CERTIFICATE

1
 2
 3
 4 I, Lorraine J. Klodnick, do hereby certify
 5 that as such Reporter I took down in Stenotypy all
 6 of the audio-taped proceedings had in the foregoing
 7 transcript; that I have transcribed my said
 8 Stenotype notes into typewritten form as appears in
 9 the foregoing transcript; that said transcript is
 10 the complete form of the proceedings had in said
 11 cause and constitutes a true and correct transcript
 12 therein.

13
 14
 15
 16 *Lorraine J. Klodnick*
 17 Lorraine J. Klodnick, RDR, CRR