

EARLE B. TURNER
Clerk



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Cleveland Municipal Court

Office of the Clerk of Courts
Justice Center – Courts Tower
1200 Ontario Street
Cleveland, Ohio 44113-1669

Honorable Jim Butler
Chair, House Civil Justice Committee
77 S. High St.
Columbus, OH 43215

December 4, 2018

Chair Butler, Vice Chair Pelanda, Ranking Member Boggs and members of the House Civil Justice Committee, my name is Earle B. Turner and I am here on behalf of the Cleveland Municipal Clerk of Courts office. I am asking you today to support House Bill 672.

As the Clerk of Courts, my office is committed to keeping an accurate record of proceedings in the Cleveland Municipal Court. After 22 years in this office, I am well aware of how mistakes can show up in the public record.

Plenty of the tickets and legal documents that are used in the court are handwritten. That can result in an officer writing a letter that is either inaccurate or misunderstood by the clerk who reads the ticket, and enters it into the system. Sometimes a box that should be checked is not checked, or is marked in a way that is ambiguous. Also, with similar names and similar birthdates, one person can end up getting a notice that should have been sent to someone else. With records being transferred through dozens of people, mistakes can happen and an innocent citizen can end up suffering consequences for something that they never did.

Two years ago, a man in the Youngstown area received a summons to come 75 miles to Cleveland for a court hearing. The offense was stealing garbage bags from a university. He was not the real defendant. The real thief had the same first and last name, and a very similar birthdate. Somehow in the in the transfer of handwritten documents from Campus Police to Prosecutor, the wrong man was identified. Our office was given the identity of the wrong defendant and although our clerks did nothing wrong, and the case was dismissed against the innocent Youngstown man, the incident demonstrates the human error that can happen when hundreds of thousands of incidents are recorded in the Justice system. Incidents like this are very rare, but when they happen they are a nightmare for the persons affected.

I support H.B 672 that will give citizens recourse when they see something about them in a public record that they know is wrong.

Sincerely,

A handwritten signature in black ink, appearing to read "Earle B. Turner". The signature is written in a cursive style with a large initial "E" and a distinct "B".

Earle B. Turner
Cleveland Clerk of Courts