

# HOLMES COUNTY JUVENILE COURT

2016  
ANNUAL REPORT



JUDGE THOMAS C. LEE

April 12, 2017

To the Citizens of Holmes County:

On behalf of Holmes County Juvenile Court and its staff, I am pleased to present the 2016 Annual Report. This Report is prepared pursuant to Ohio Revised Code Section 2151.18(B) and contains information on the Court's cases, as well as the services and programs offered by the Court to Holmes County families and children.

It is my sincere desire that the Court provide quality assistance to Holmes County families and children. If you have questions or suggestions as you read this Report, please feel free to contact me. I value your input.

Sincerely,

THOMAS C. LEE  
Juvenile Court Judge

# COURT PERSONNEL

Judge

Hon. Thomas C. Lee

Court Administrator  
Grant Administrator

Glennis R. Menez  
Glennis R. Menez

Bailiff

Bradley S. Conn

Chief Deputy Clerk  
Deputy Clerk  
Deputy Clerk

Megan M. Hoxworth  
Lisa McKelvey  
Rachel Conn

Deputy Clerk/Probation  
Office Secretary

Barbara Jean Spencer

Chief Probation Officer  
Probation Officer  
Probation Officer

David Williams, LSW  
Janice Shroyer, LSW  
Brody Williams

Connections Mentoring Program Coordinator

Miranda McCullough, LSW

## **PURPOSE OF JUVENILE DISPOSITIONS**

Ohio Revised Code Section 2152.01 sets forth the purpose of the Juvenile Court Dispositions as follows:

2152.01: Purposes; applicability of law

(A) The overriding purposes for dispositions under this chapter are to provide for the care, protection, and mental and physical development of children subject to this chapter, protect the public interest and safety, hold the offender accountable for the offender's actions, restore the victim, and rehabilitate the offender. These purposes shall be achieved by a system of graduated sanctions and services.

(B) Dispositions under this chapter shall be reasonably calculated to achieve the overriding purposes set forth in this section, commensurate with and not demeaning to the seriousness of the delinquent child's or the juvenile traffic offender's conduct and its impact on the victim, and consistent with dispositions for similar acts committed by similar delinquent children and juvenile traffic offenders. The court shall not base the disposition on the race, ethnic background, gender, or religion of the delinquent child or juvenile traffic offender.

(C) To the extent they do not conflict with this chapter, the provisions of Chapter 2151 of the Revised Code apply to the proceedings under this chapter.

## **MISSION STATEMENT**

Holmes County Juvenile Court exists to foster the development of a healthy community for children and families through the timely administration of justice and the delivery of quality services in a cost-effective, courteous and professional manner.

# JURISDICTION

The Juvenile Court has jurisdiction under Ohio Revised Code Section 2151.23. The types of cases listed below are the most common cases handled in our Court.

- **Delinquent Child:** Those who commit an offense, prior to their 18<sup>th</sup> birthday, that would be a crime if committed by an adult.
- **Unruly Child:** Those who commit an offense that only applies to someone under the age of 18.
- **Juvenile Traffic Offender:** Those who commit a traffic offense prior to attaining the age of 18.
- **Abused Children:** Children who have been physically or sexually abused by parents, guardians, or another adult.
- **Neglected Children:** Those children who are not properly cared for or are abandoned by their parents or guardians.
- **Dependent Children:** Those children who are without proper care or support through no fault of their parents or guardians.
- **Adults:** Criminal charges against adults who have contributed to the delinquency or unruliness of a child.
- **Paternity:** Actions to determine the father of a child born out of wedlock.
- **Child Support:** Actions to determine child support to be paid by either parent and to enforce the obligor's responsibility to pay.
- **Custody:** Actions to determine the custody of any child not a ward of another Court of this State.
- **Protection Orders against a Child:** Actions by any person seeking relief, that includes an allegation that the respondent engaged in a violation of felonious assault, aggravated assault, assault, aggravated menacing, menacing by stalking, menacing, aggravated trespassing or a sexually oriented offense.
- **Consent to Marry:** Actions for consent to marry if either of the applicants are under the age of eighteen (18).
- **Children taken into Custody:** A child is removed from the home when there are reasonable grounds to believe that the child's removal is necessary to prevent immediate or threatened physical or emotional harm.

# JUVENILE COURT DOCKET



The following cases were filed in Juvenile Court in 2016:

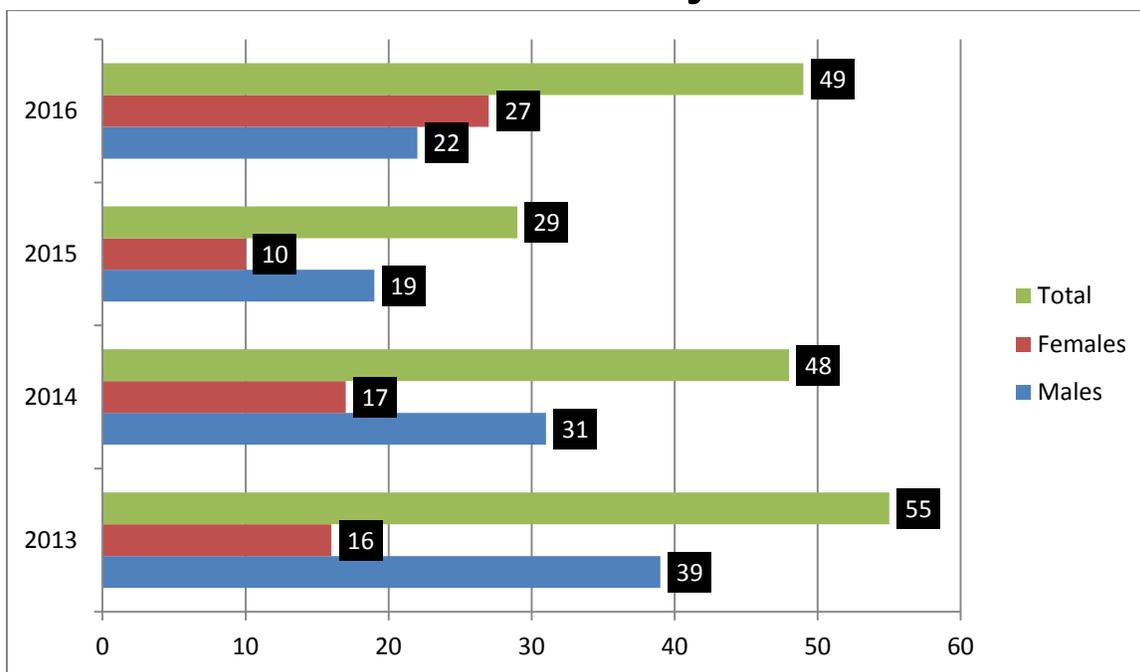
Delinquency	61
Traffic	119
Dependency, Neglect & Abuse	49
Unruly	5
Adult Cases	0
Permanent Custody	0
Custody/Visitation	41
Child Support	37
Paternity	1
U.I.F.S.A. (Uniform Interstate Family Support Act)	0
Others	5
<b>TOTAL:</b>	<b>318 cases filed</b>

\*\*\*Fourteen (14) of the total sixty-one (61) delinquency cases filed and twenty-four (24) of the total one-hundred-nineteen (119) traffic cases filed were transferred to the county of residence for adjudication.

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NOTE: An additional thirty-eight (38) delinquency cases and two (2) unruly cases were filed in Holmes County in 2016 that were ultimately sealed.

# Alternatives to Adjudication



Forty Nine (49) juveniles who were first-time offenders were referred to the **Diversion Program**, thus reducing the number of cases brought formally before the Court.

Of the 49 juveniles, 22 were males and 27 were females.

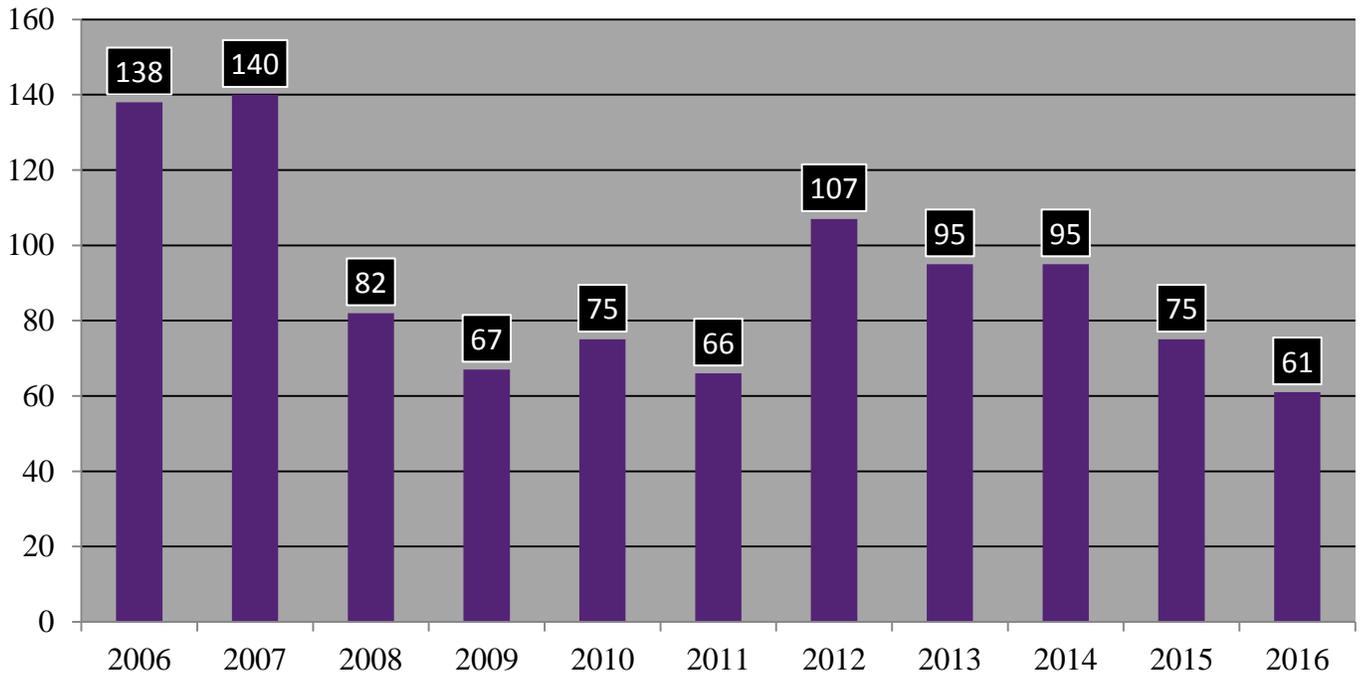
39 (22 males and 17 females) were removed from Diversion. Of those removed; 33 were successful completions and 6 were unsuccessful.

The increase in Diversion cases for 2016 (49 cases) compared to 2015 (29 cases) was due to a large number of juveniles charged with consuming from a party.

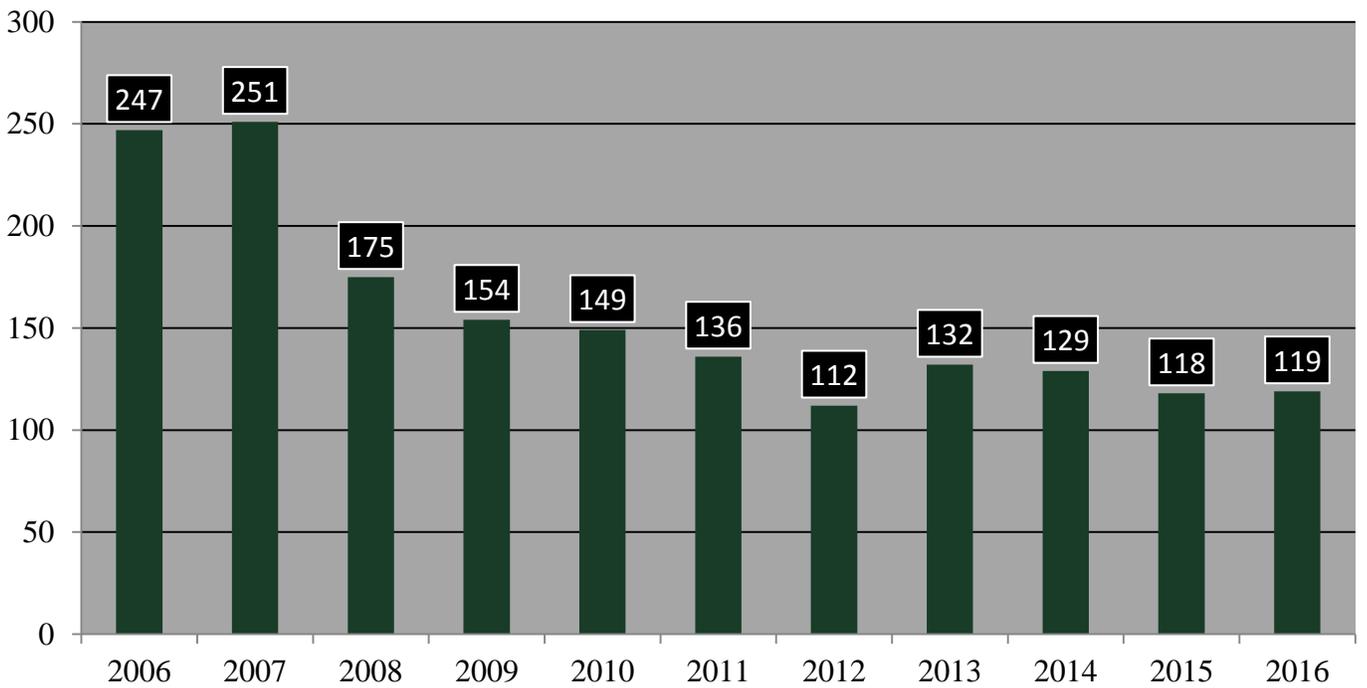
Diversion is typically designed for first time offenders with allegations of unruly or misdemeanor offenses. It is a voluntary program in which the juvenile must admit to the allegations in the complaint. The probation officer determines the outcome of the case with a list of terms and conditions which is similar to probation. If the juvenile complies with the terms and conditions, their case is terminated and sealed. If the juvenile is non-compliant, the case is referred to Court and the Judge determines what orders to impose. Diversion is a short term program which lasts for about three months.

**Following are graphic illustrations comparing case-type filings for the years 2006 through 2016:**

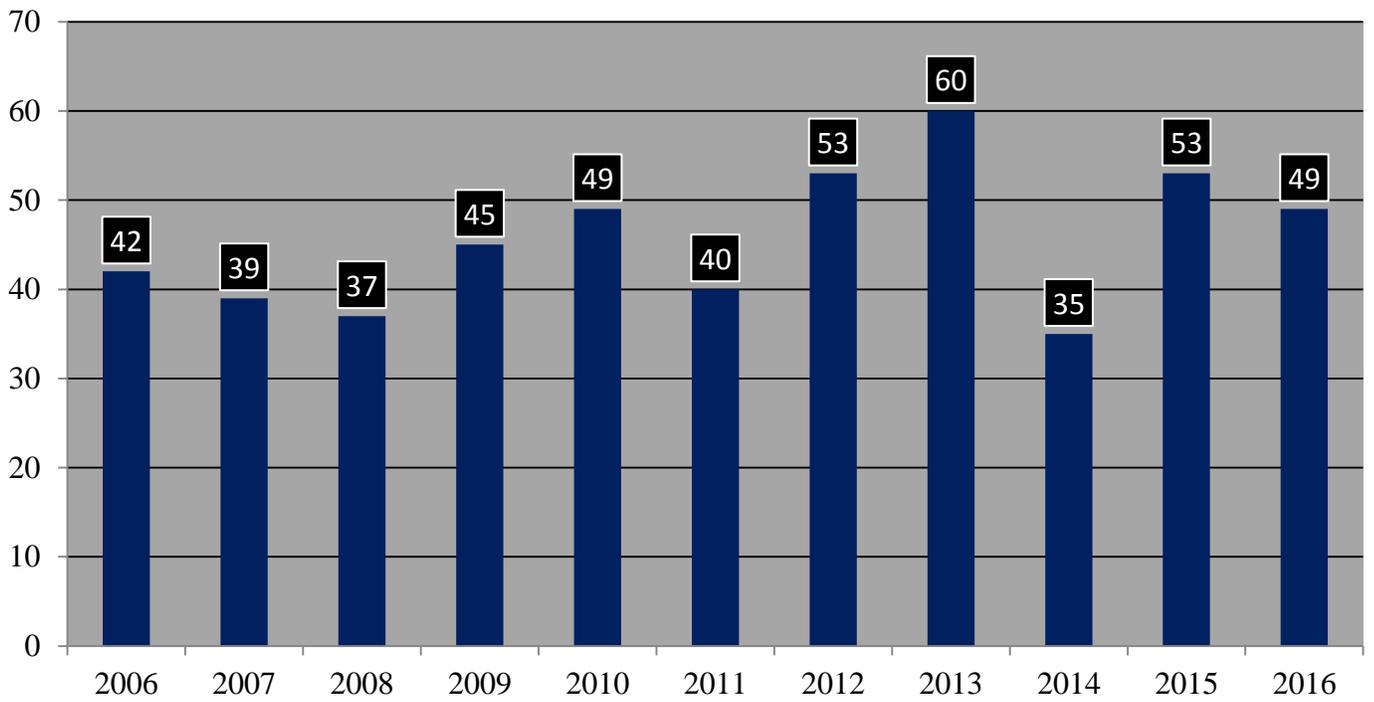
## Delinquency



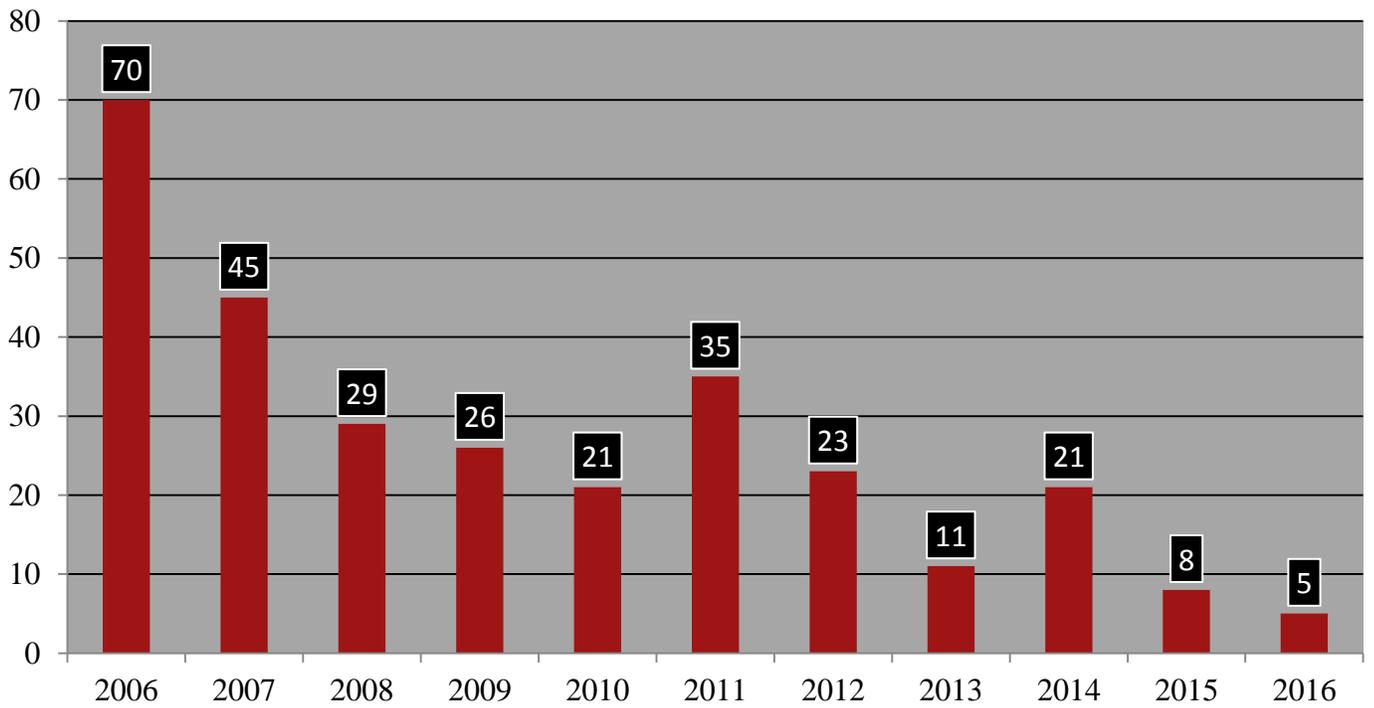
## Traffic



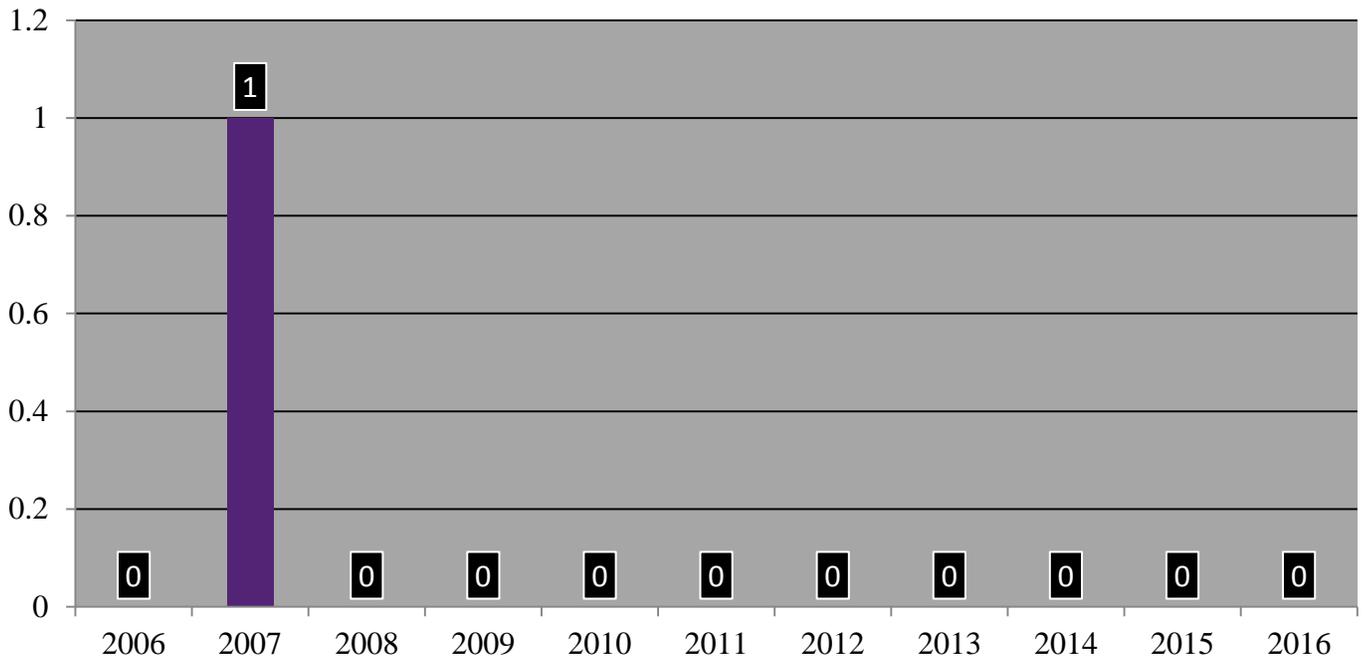
## Dependency, Neglect & Abuse



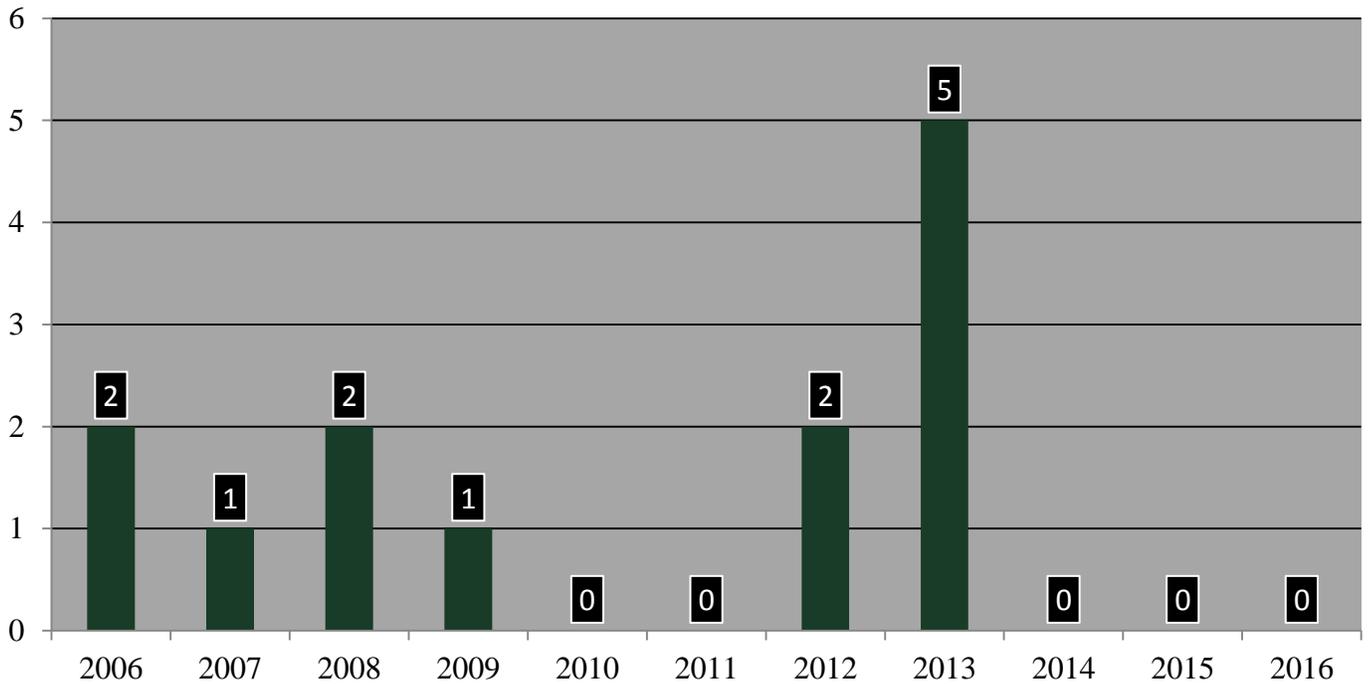
## Unruly



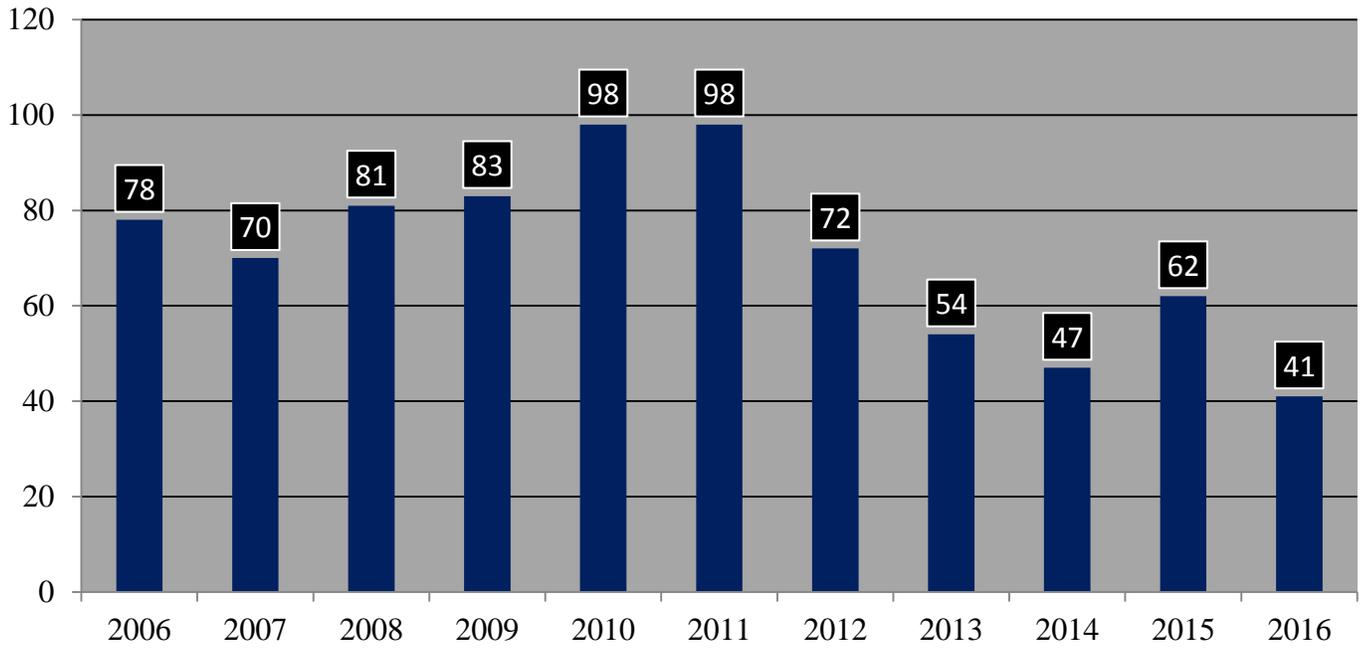
## Adult Cases



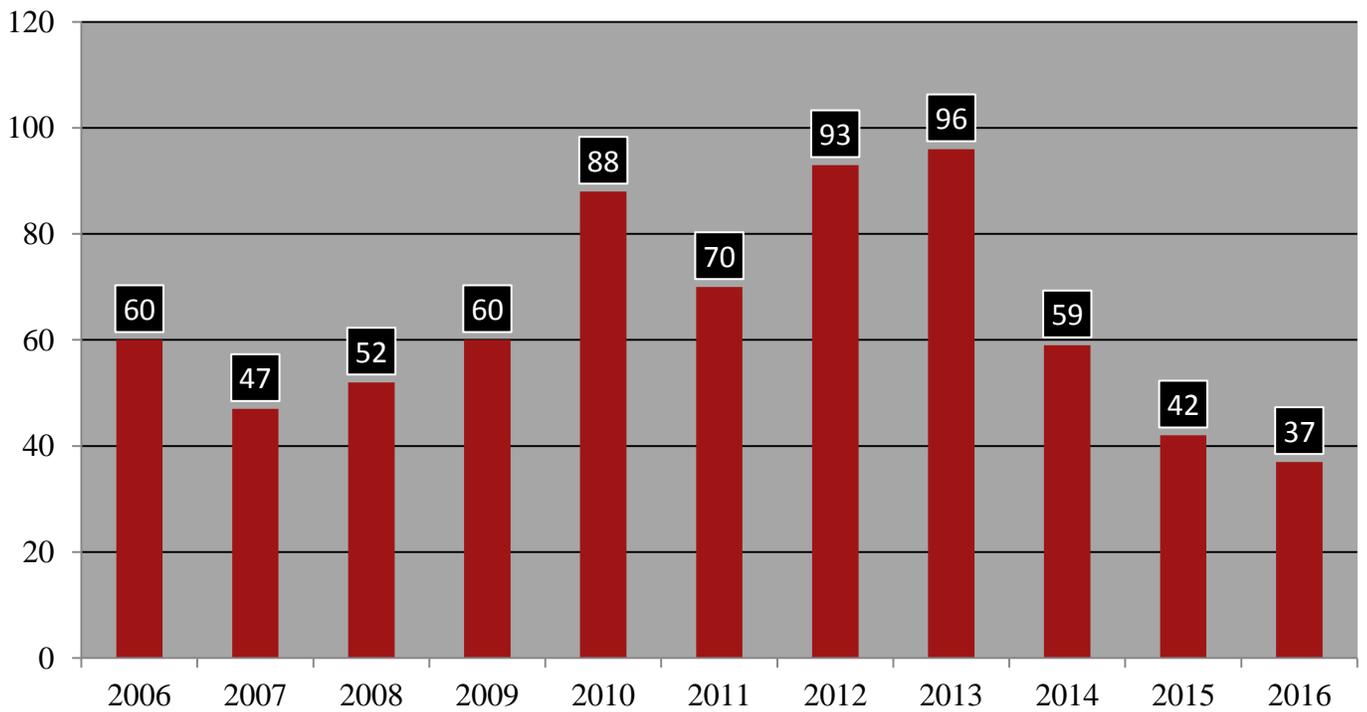
## Permanent Custody



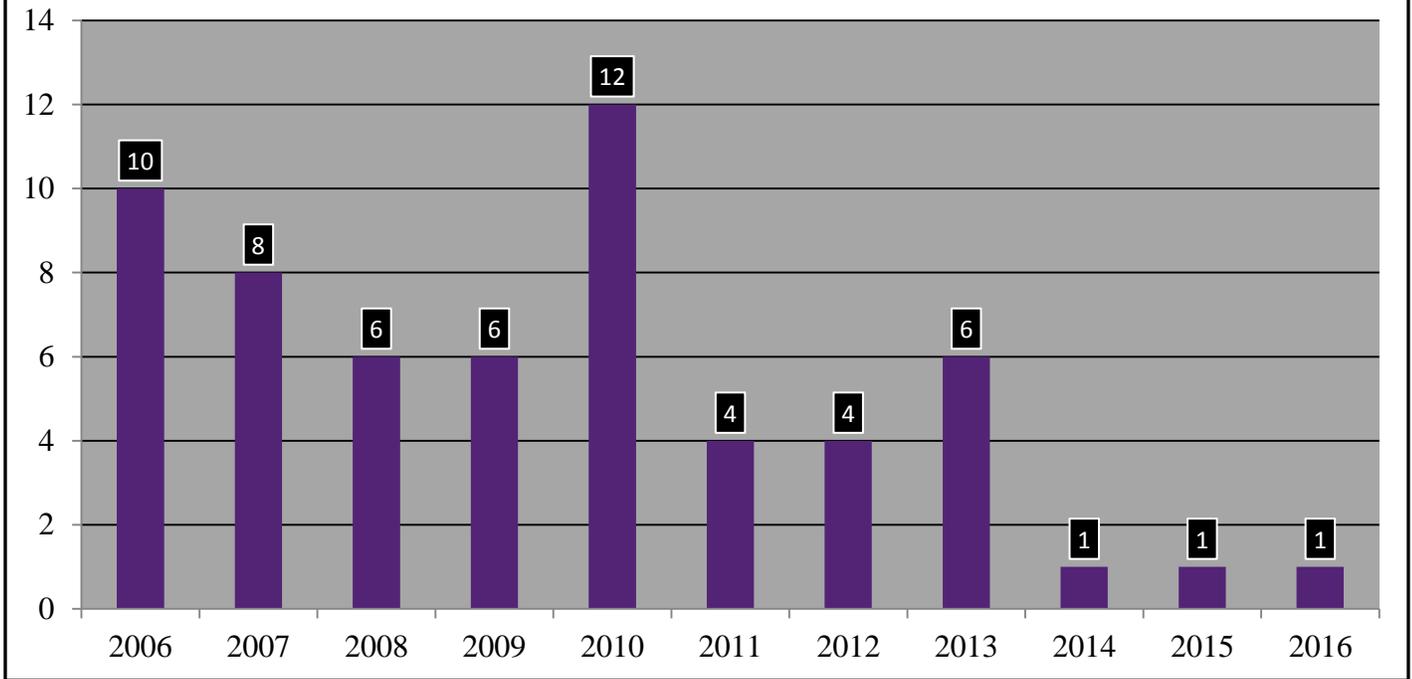
## Custody / Visitation



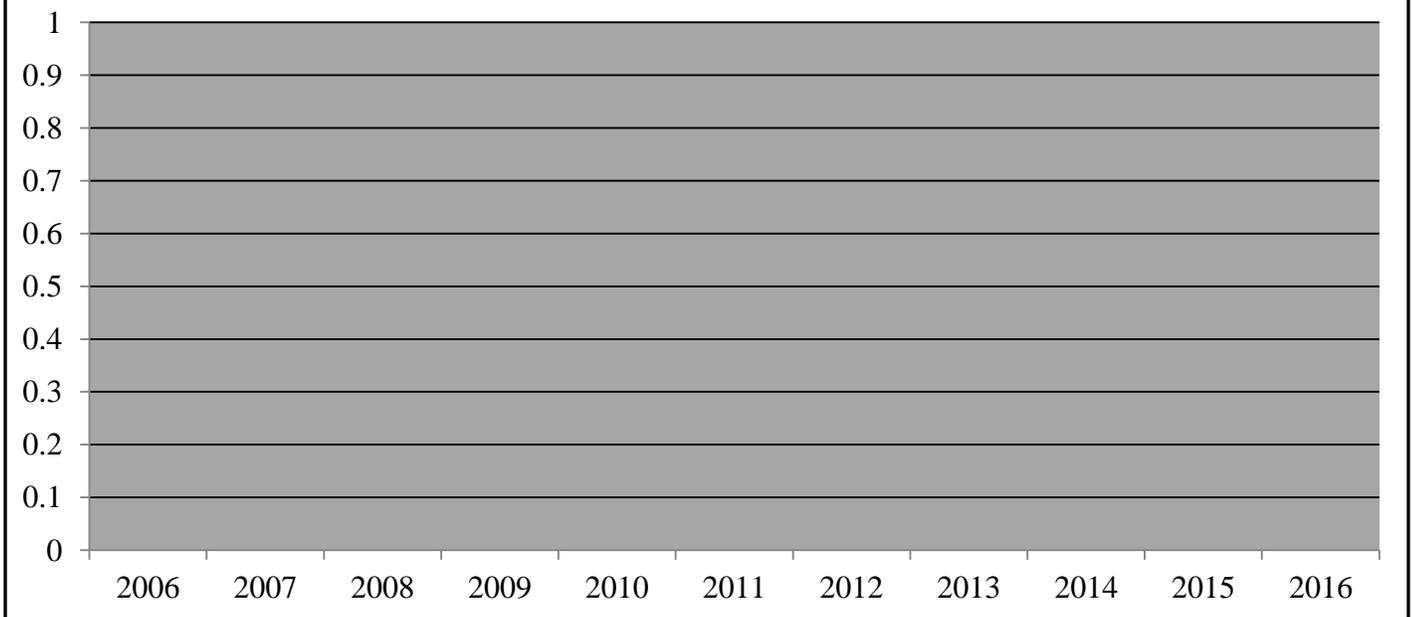
## Child Support



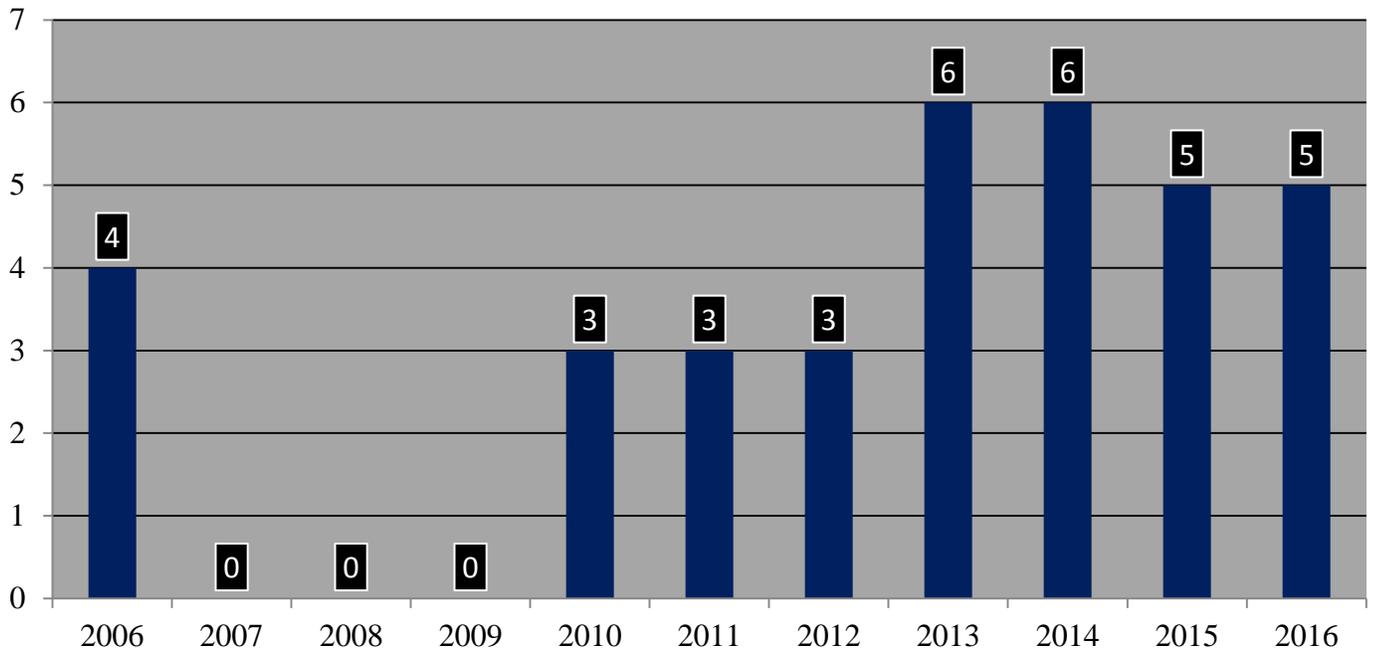
## Parentage



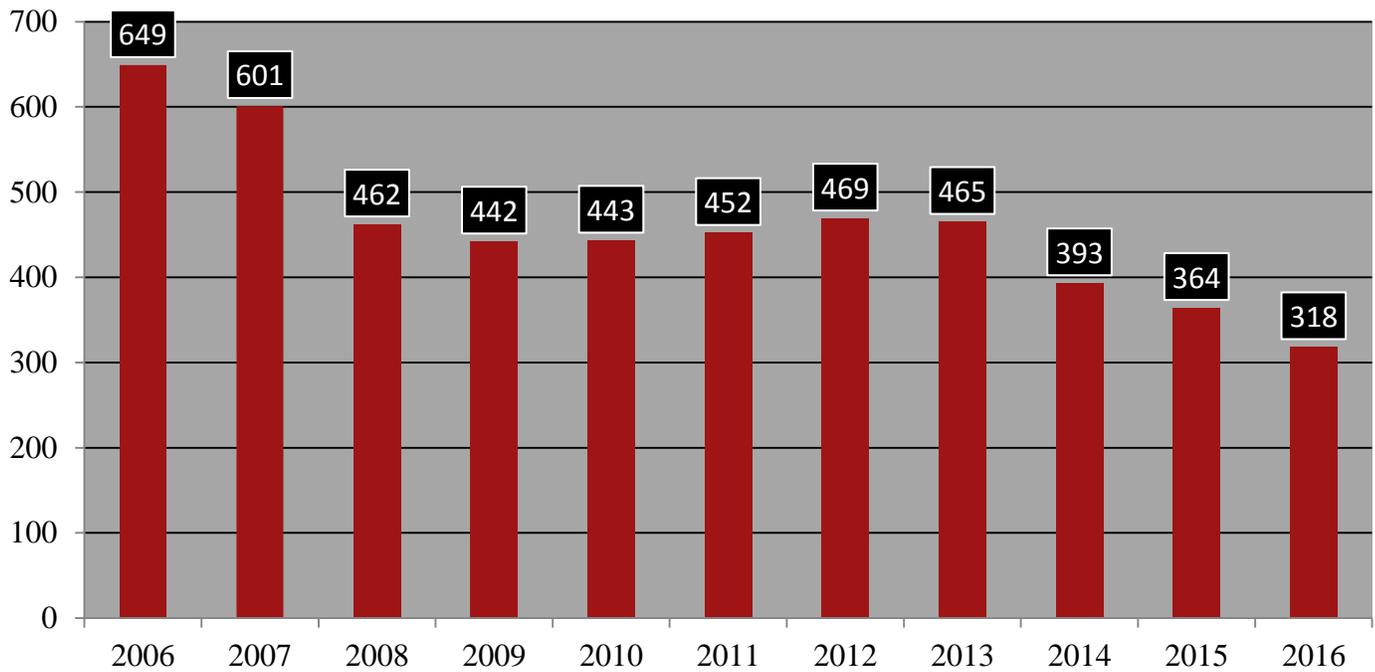
## (U.I.F.S.A.) Uniform Interstate Family Support Act



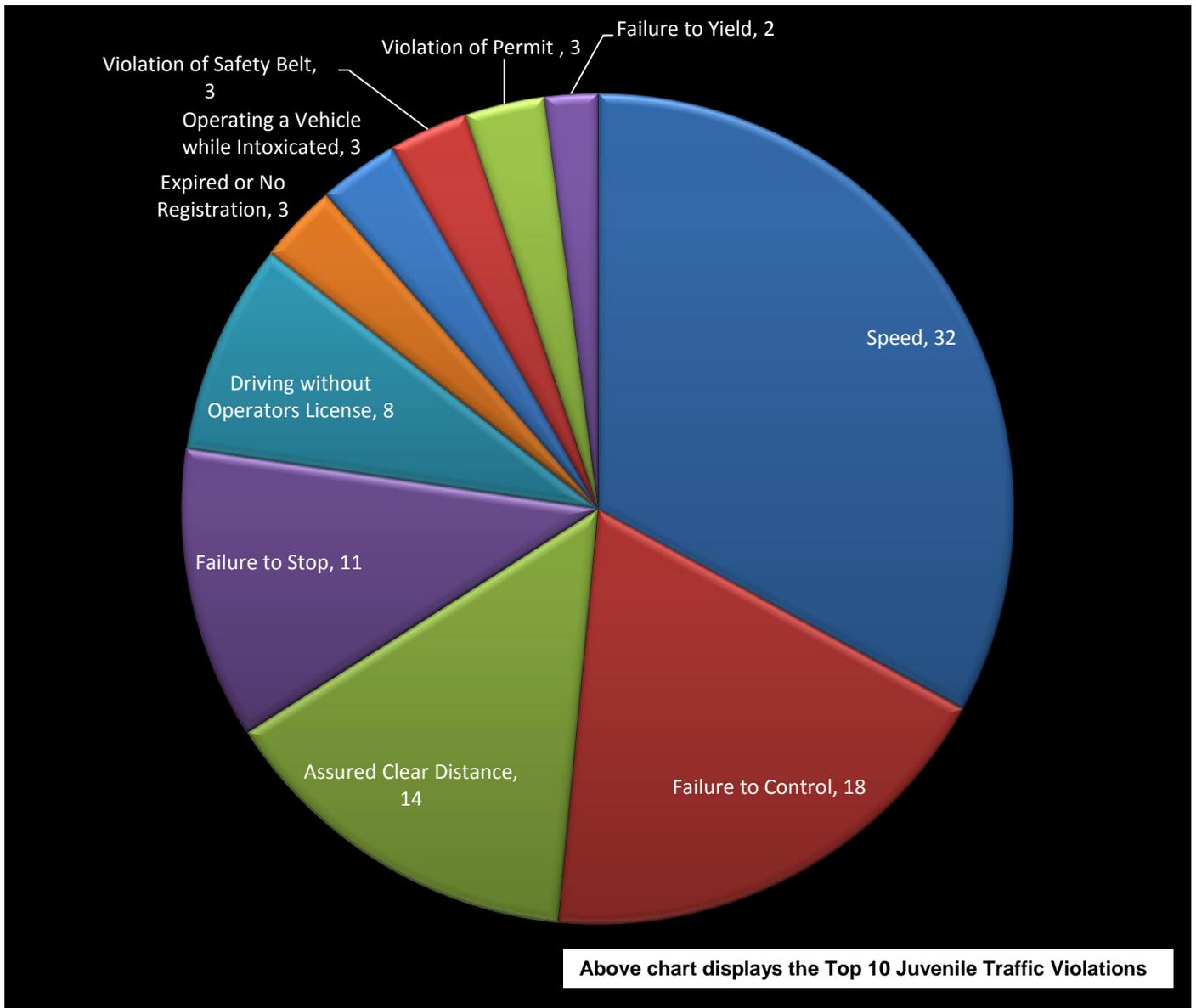
## Others



## Total Cases

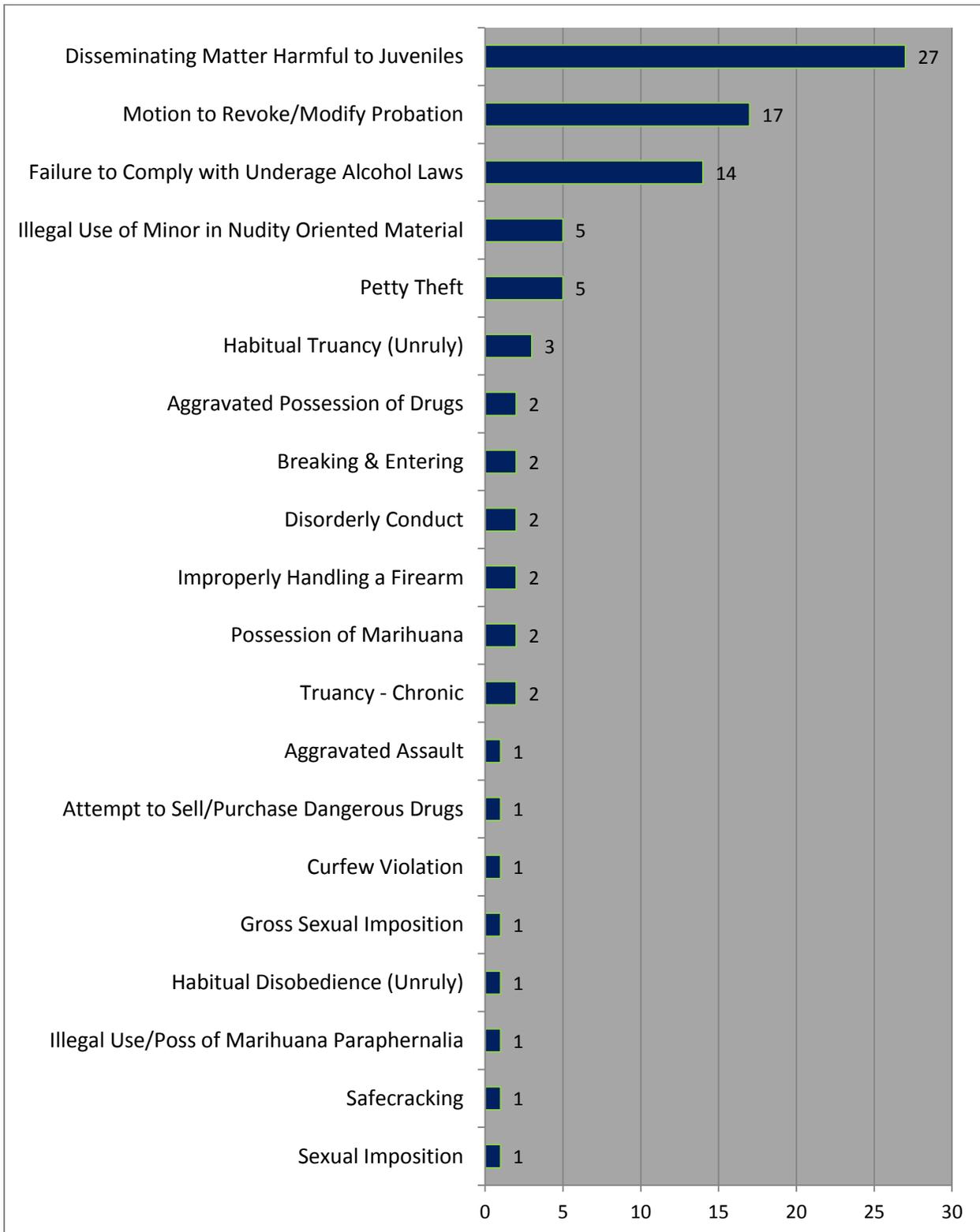


# 2016 Traffic Adjudications



Speed	32	Failure to Yield	2
Failure to Control	18	No Child Restraint/Booster Seat	2
Assured Clear Distance	14	Failure to Reinstate	1
Failure to Stop	11	Littering from a motor vehicle	1
Driving without Operators License	8	Passing in a No Passing Zone	1
Expired or No Registration	3	Reckless Operation	1
Operating a Vehicle while Intoxicated	3	Driving on Wrong Side of Roadway	1
Violation of Safety Belt	3	Improper Display of Lights	1
Violation of Permit	3		

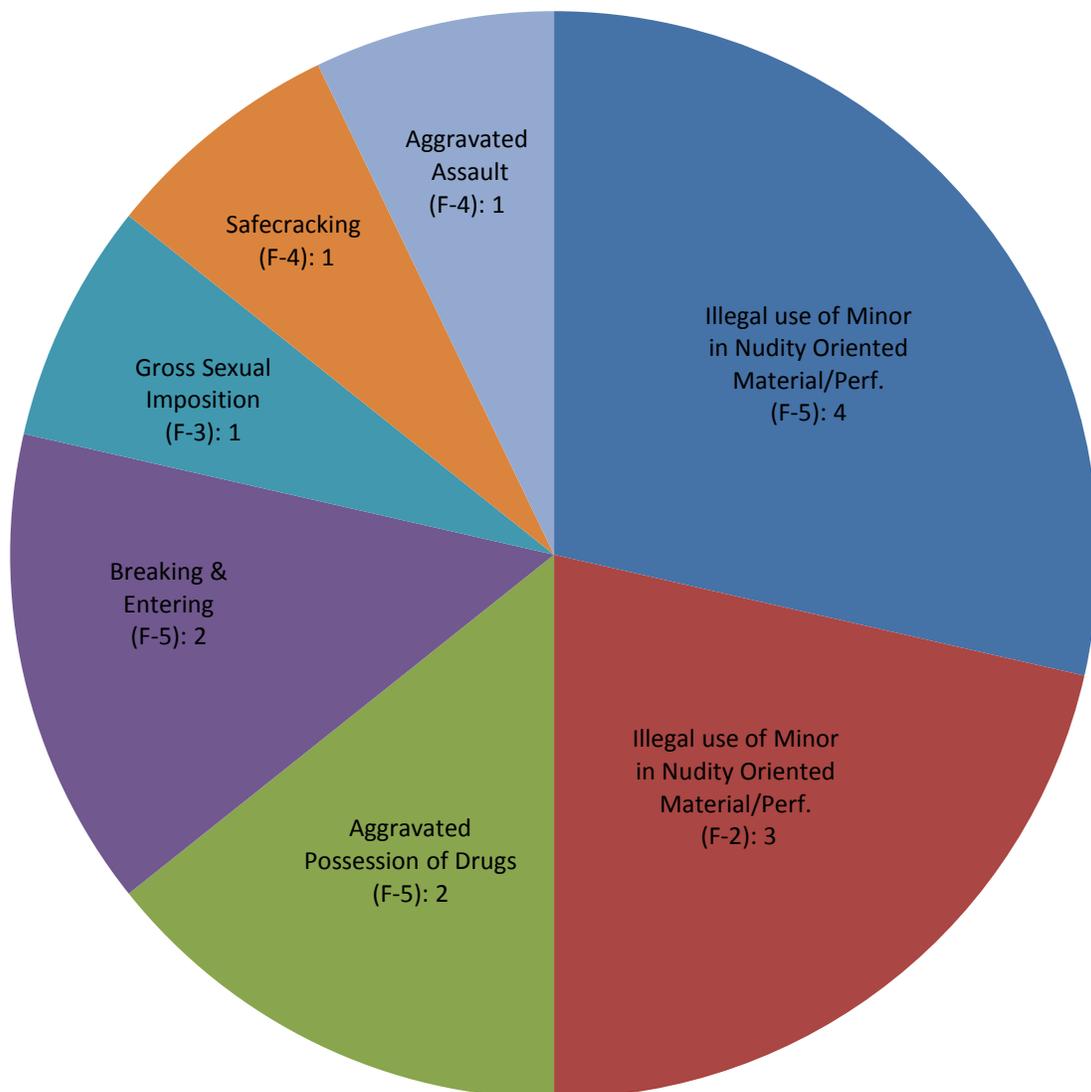
# 2016 Delinquent & Unruly Adjudications



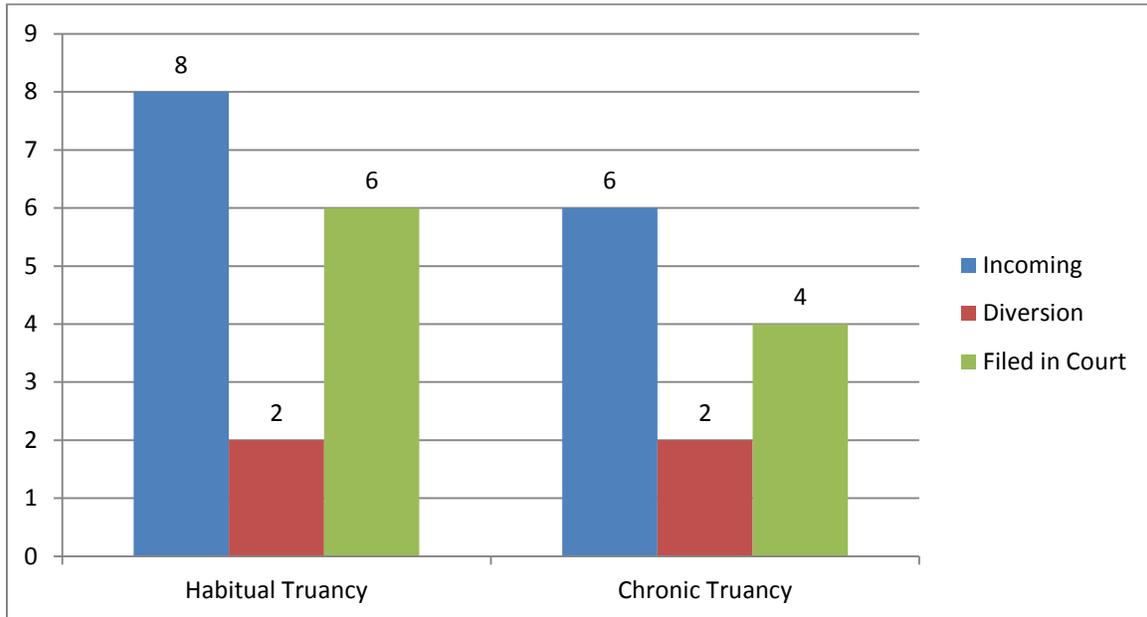
# 2016 Felony Adjudications

- Illegal use of Minor in Nudity Oriented Material/Perf. (F-5): 4
- Illegal use of Minor in Nudity Oriented Material/Perf. (F-2): 3
- Aggravated Possession of Drugs (F-5): 2
- Breaking & Entering (F-5): 2
- Gross Sexual Imposition (F-3): 1
- Safecracking (F-4): 1
- Aggravated Assault (F-4): 1

**Total: 14 Felony Adjudications  
(consisting of 14 male juveniles)**



# 2016 Truancy Flow

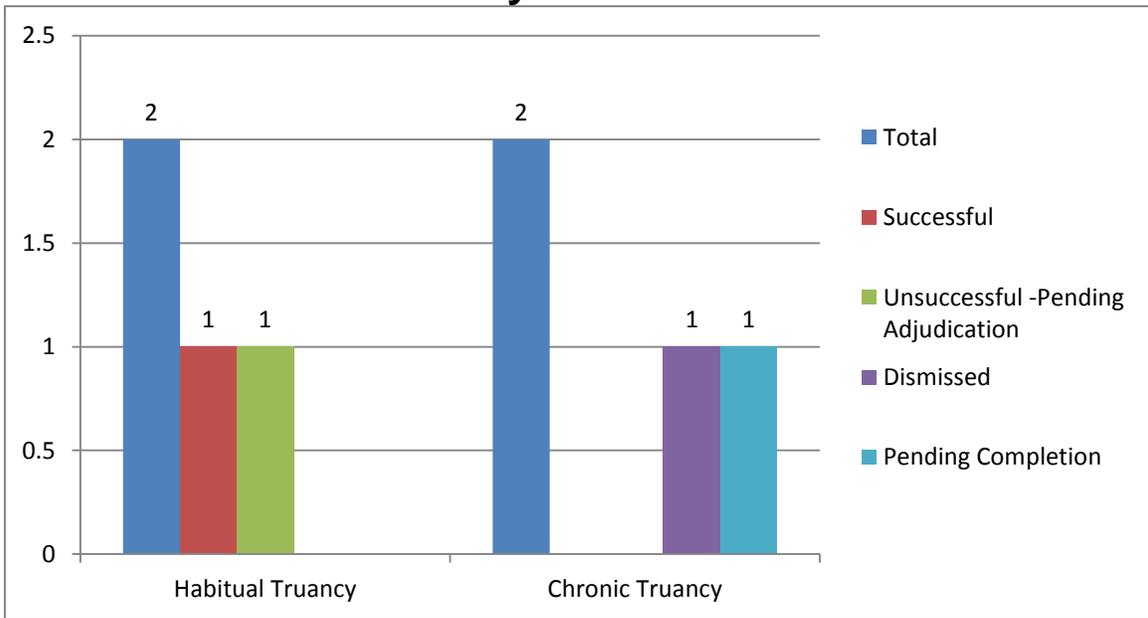


**“Habitual Truancy”** means any child of compulsory school age who is absent without legitimate excuse for absence from the public school the child is supposed to attend for **five or more consecutive school days, seven or more school days in one school month, or twelve or more school days in a school year**. This constitutes the offense of Unruliness, in violation of Ohio Revised Code Section 2151.022.

**“Chronic Truancy”** means any child of compulsory school age who is absent without legitimate excuse for absence from the public school the child is supposed to attend for **seven or more consecutive school days, ten or more school days in one school month, or fifteen or more school days in a school year**. This constitutes a misdemeanor of the unclassified degree if the child were an adult and a delinquent act in violation of Ohio Revised Code Section 2152.02(F).

- Eight (8) habitual truancy complaints/referrals were received in 2016. Of those eight (8), two (2) were referred to the Diversion Program and six (6) were filed with the Court.
- Six (6) chronic truancy complaints/referrals were received in 2016. Of those six (6), two (2) were referred to the Diversion Program and four (4) were filed with the Court.

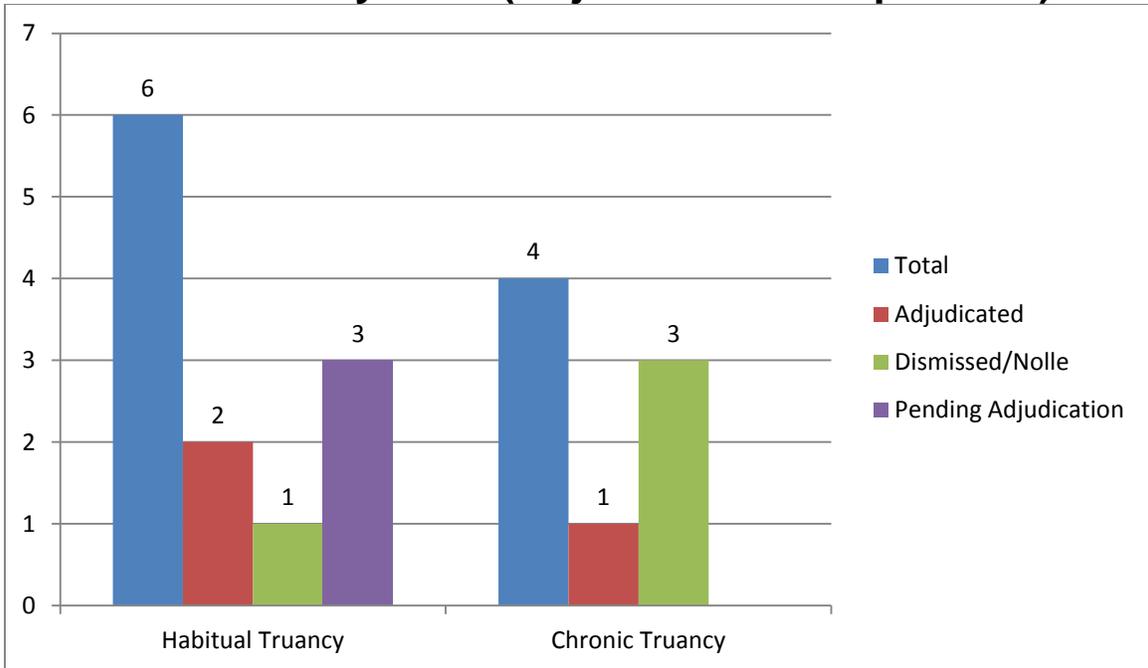
## 2016 Truancy Diversion Results



Of the two (2) habitual truancy complaints/referrals sent to Diversion, one (1) was successful and one (1) was unsuccessful (pending adjudication).

Of the two (2) chronic truancy complaints/referrals sent to Diversion, one (1) was dismissed as confirmation was received that they were enrolled in another school and one (1) is pending completion of the program.

## 2016 Truancy Filed (Adjudications/Disposition)



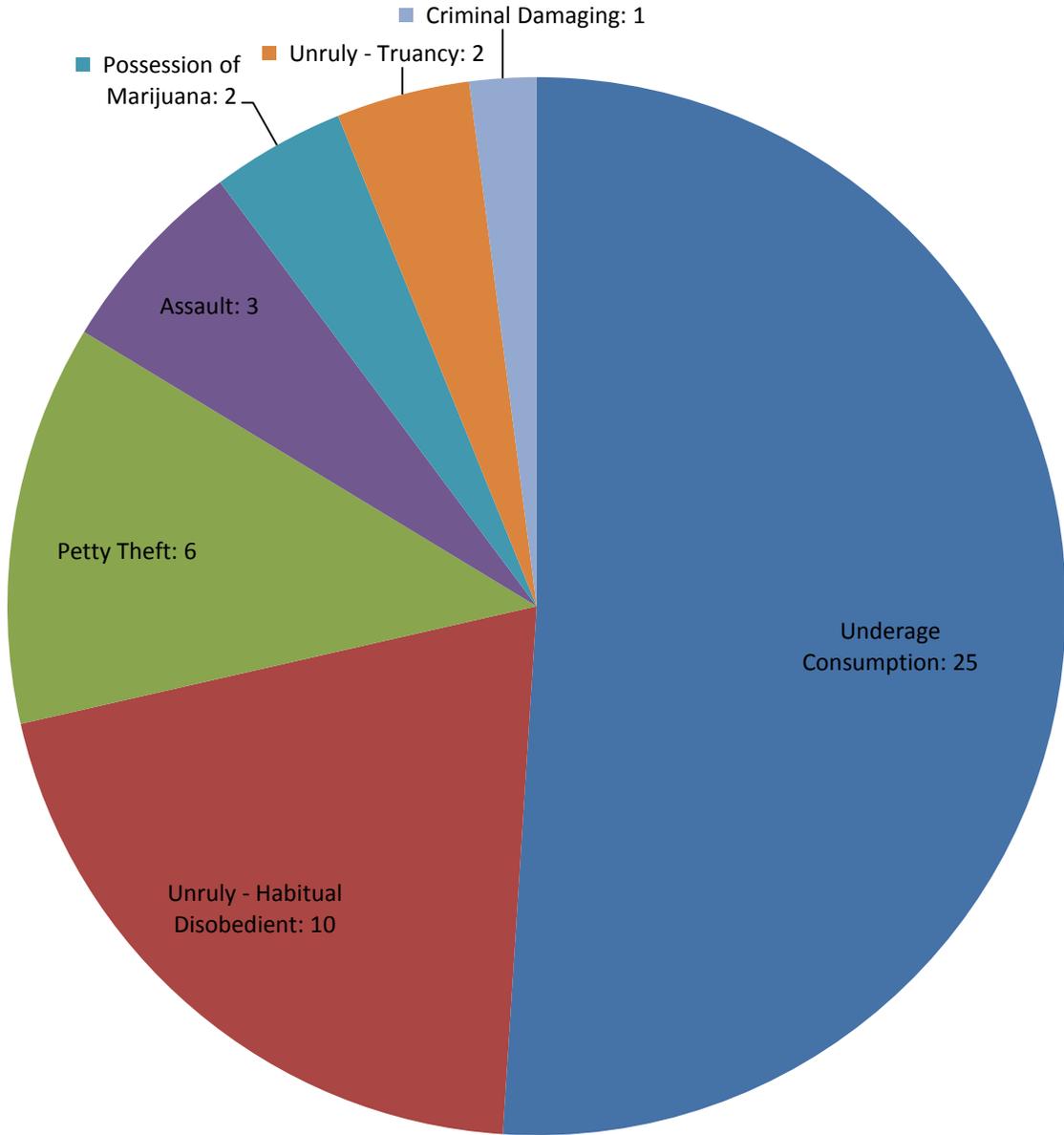
Of the six (6) habitual truancy complaints/referrals filed with the Court, two (2) were adjudicated, one (1) was dismissed, and three (3) are pending adjudication.

Of the four (4) chronic truancy complaints/referrals filed with the Court, one (1) was adjudicated and three (3) were dismissed.

# Diversion Cases

handled in 2016

Total : 49 Diversion Cases

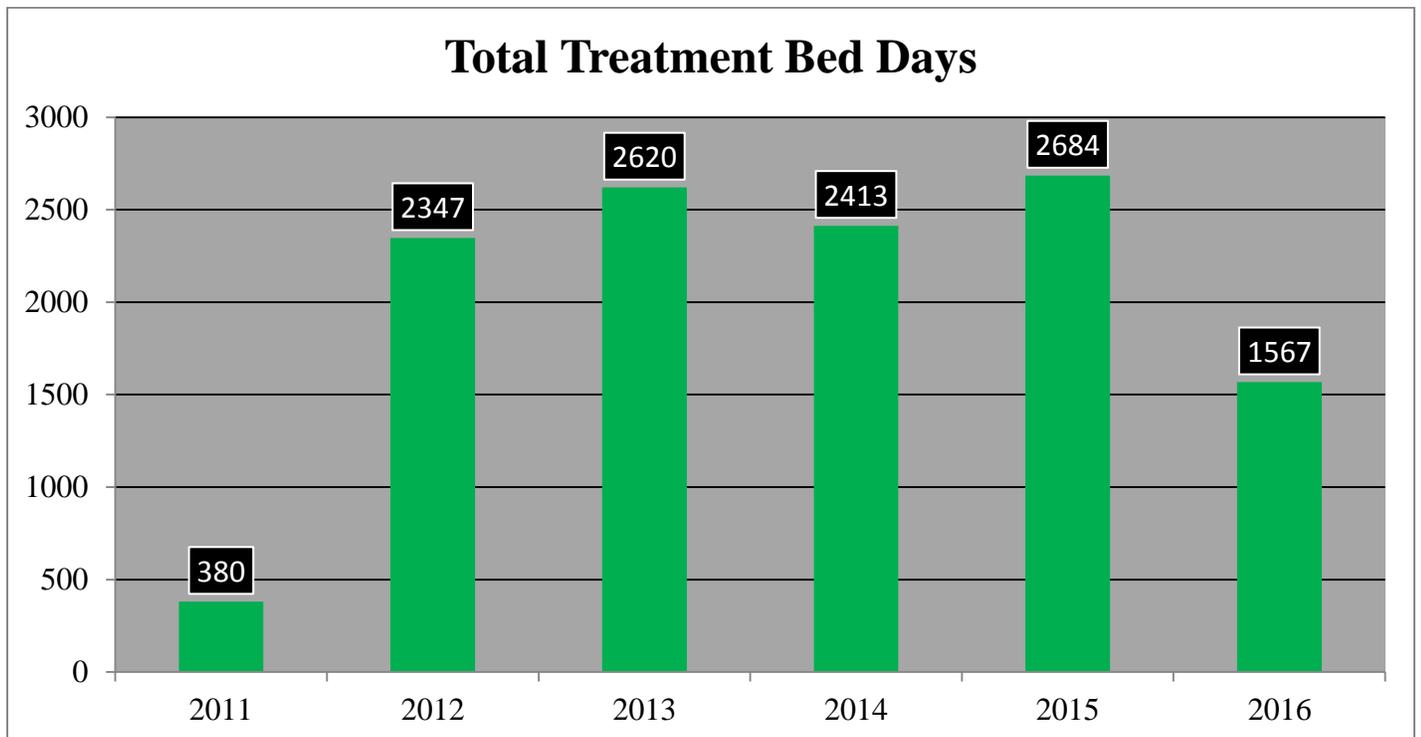


# OUT OF HOME PLACEMENTS

The Court strives to achieve its purposes while keeping a child in a family environment, separating the child from his or her parents only when necessary for his or her welfare or in the interests of public safety.

In 2016 the Court utilized Residential Treatment Centers and Therapeutic Foster Care for a total of:

**1567 bed days** for placements.  
(472 of those treatment days were at no cost to Holmes County)



## Additional Information Regarding Placements

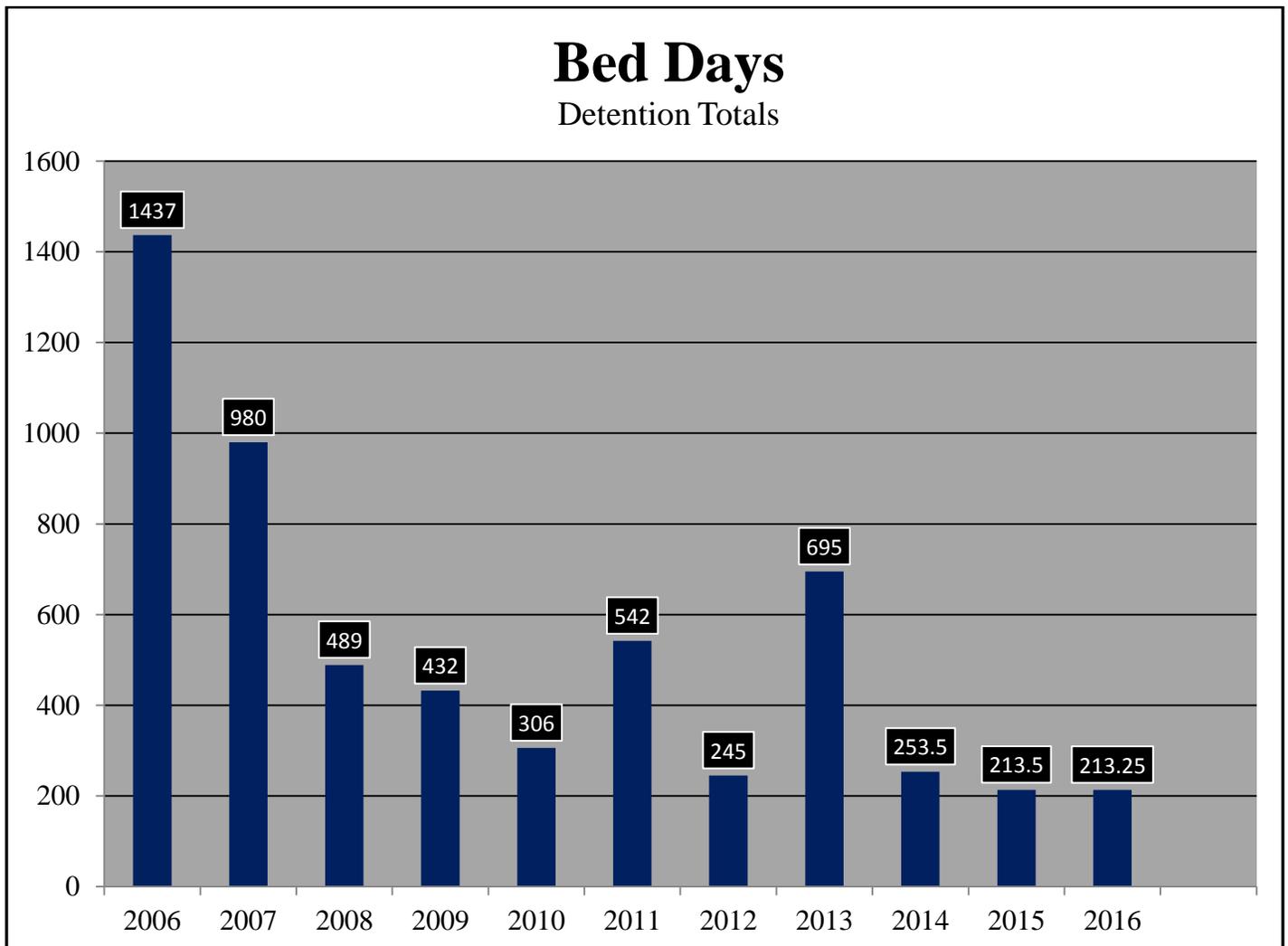
**Ohio Department of Youth Services Facilities** – ODYS is the Juvenile corrections system for the state of Ohio. It is statutorily mandated to confine felony offenders, ages 10 to 21 who have been adjudicated and committed by one of Ohio’s 88 county Juvenile Courts.

No Juveniles were committed to an ODYS Facility in 2016.

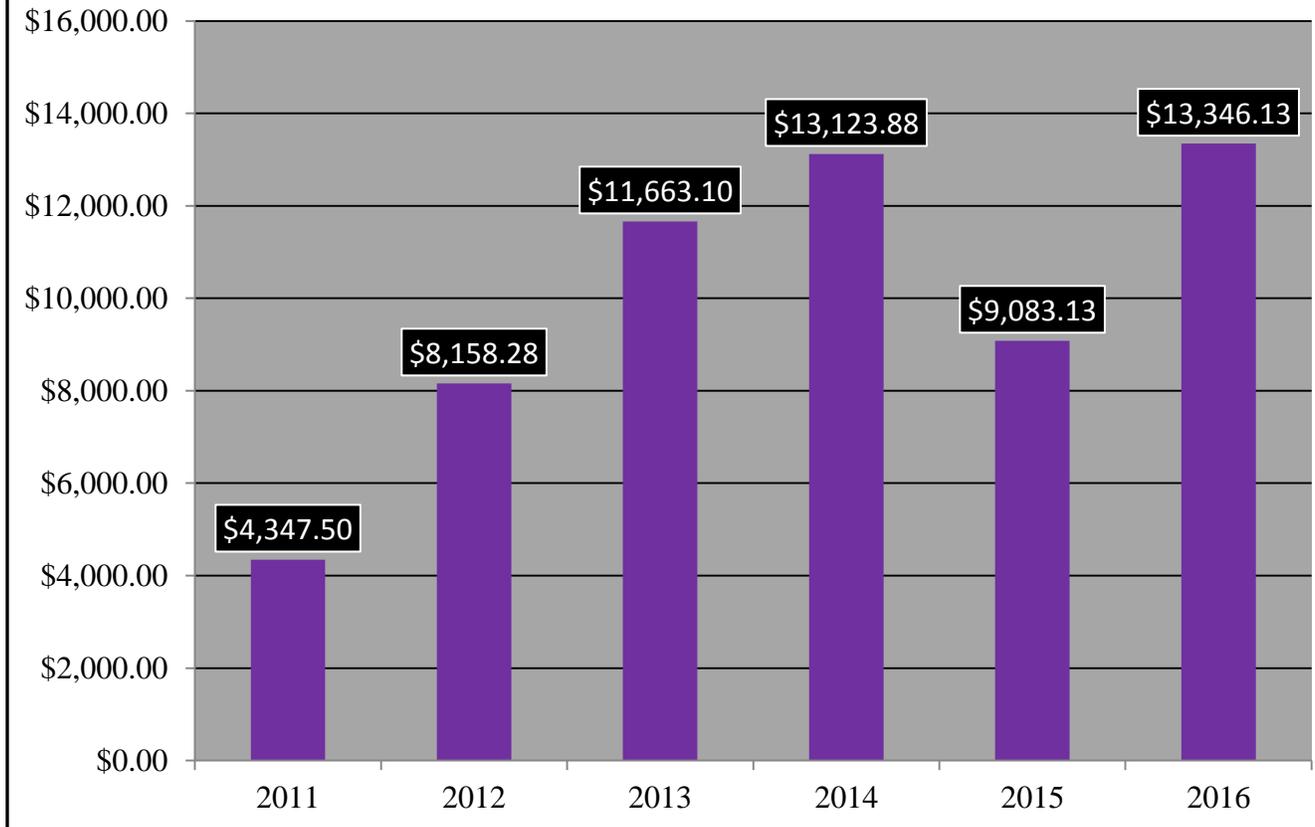
# DETENTION

In January 2011, Holmes County withdrew from the Multi-County Juvenile Attention System. Since that time detention services have been contracted with Richland County through its Juvenile Detention Center in Mansfield, Ohio. In 2016 Holmes County used 213.25 detention bed days at the Richland County facility. Following is a graphic illustration of detention bed day usage from 2006 through 2016. Please note that the detention usage from 2006 through 2010 was through Multi-County Juvenile Attention System.

\*Note the increase of bed days from 2012 to 2013 is partially due to four juveniles being held in detention on sex offenses which accounted for 322.25 days of the 2013 detention total. This number reflects 46% of the total detention bed days used in 2013.



## Detention Costs Collection



The cost for detention at the Richland County Juvenile Detention Center is \$85 per day. The parents of the juveniles are ordered to pay the costs of detention. The Juvenile Court pursues collection of these costs and reimburses the county from money collected. Collection of costs for detention began in 2011. As of the end of 2016, the county has been reimbursed a total of \$59,722.02 towards said detention costs.

The detention costs collected in 2016, which amount to \$13,346.13, represent the cost of 157 detention bed days.

# PROGRAMS

## Probation Department

The Probation Department of the Juvenile Division of the Common Pleas Court of Holmes County is a very active department, consisting of a Chief Probation Officer, two Probation Officers and the Juvenile Probation Secretary/Clerk. All probation officers have caseloads assigned to them in which they are actively involved. Additionally, all officers have the following required duties:

1. Filing Violation of Law/Court Orders through the Prosecutor's Office;
2. Testifying in Court hearings;
3. Attending ongoing education and training sessions;
4. Writing and filing reports;
5. Public speaking;
6. Monitoring those under Court supervision for probation or Court orders;
7. Utilizing arrest authority when appropriate.

Probation Officers work closely and regularly with the Prosecutor's Office, schools, police, community and the various support agencies in the county. Attempts are made to have personal "face to face" contact with not only those on probation, but all agencies with which this department has a business relationship.

It is the Probation Department's belief that in order to be an effective, knowledgeable operation, it is vital to be involved with the schools, law enforcement and the community as much as possible in order to properly supervise those on probation. It is also of utmost importance that the Probation Officers know the respective environments of those they supervise and to know the issues that the clients must face on a daily basis. This, we have found, is the reason people act as they do. An ongoing, ever escalating abuse of alcohol and other substances, deterioration in parental supervision and lack of home environment conducive to values are the primary reasons for more and more youth becoming involved in the criminal justice system.

It is paramount to the Court's position that rehabilitation of the juvenile offender is our objective through accountability, responsibility, treatment and supervision. However, the public safety and welfare must be of primary concern when deciding what is the appropriate action that is to be taken.

During calendar year 2016, forty-eight (48) juveniles were placed on probation (34 males and 14 females) and forty-seven (47) were removed from probation (33 males and 14 females). Of those removed from probation, 46 were successful and 1 was unsuccessful.

The Probation Department also continued its duty of organizing and supervising Community Service performed by juveniles as part of their sentence. Community Service requires a child to perform work beneficial to the community without pay. The program provides youth with an opportunity to “repay” the community for the problems caused by the child’s behavior, as well as provide the youth with valuable work experience.

In 2016, a total of 2,197 hours were completed by 88 juveniles for their community service commitment. At a minimum wage rate of \$8.10 per hour, those 2,197 hours represent services valued at \$17,795.70 to the Holmes County community.

## **Youth Services Grant**

The Youth Services Grant is a State subsidized program designed to assist Juvenile Courts in the development of local service options for youthful offenders. The grant is administered on a fiscal year, beginning on July 1 and ending on June 30.

In Fiscal Year 2016 (covering the period of July 1, 2015, through June 30, 2016) Holmes County Juvenile Court received \$201,144.44 with which to plan and provide programs which meet the requirements and standards set by the Ohio Department of Youth Services.

The amount received from the Department of Youth Services is based on a formula prescribed by Ohio Revised Code Section 5139. Factors included in that formula are the number of felony adjudications for the County and for the State over the past four-year period. The amount allocated to the County based on the prescribed formula is then debited by an amount based upon the number of bed days which the County has used in Department of Youth Services institutional and community correctional facilities.

Funds not expended during the fiscal year may be carried-over for funding of additional or continuing programs in coming years, although for FY2016 the carryover limit was 25% of the total FY2014 grant allocations.

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The following three programs were totally or partially funded by the Youth Services Subsidy Grant in 2016:

## **1. Probation**

The function of the Probation Department has been described elsewhere in this Report. This grant program provides the entire salary and benefits for our three full-time Probation Officers and 75% of the salary and benefits of the Probation Office Secretary. The maintenance portion of the program provides the Probation Officers with cellular phones in order to remain in contact with the Court and the Probation Office; funding for trainings and educational seminars the Probation Officers attend, drug test kits and costs of a copier/printer.

## **2. Mentoring**

The Court's Mentoring Program, "Connections," began recruiting mentors and matching them with juveniles in the grant's Fiscal Year 2009. The Program was initiated to address the problem of young people who lack positive adult role models. Many of these young people come from single-parent homes where the parent is overwhelmed with daily life and meeting the basic necessities of their children. Such parents often do not have the time and energy needed to spend time with their children and model general life and decision-making skills. Connections matches these young people with adult volunteers who are trained by the Program Coordinator and are willing to commit to spending four to eight hours per month with the young person for a period of at least twelve months. It is the goal of the program to provide a relationship for the child with a caring adult who will assist them in reaching their highest potential as they grow into responsible adults.

The youth targeted for the mentoring program are elementary age through high school and include those adjudicated delinquent and unruly as well as those who are in the Court's Diversion Program or are simply at-risk.

Rebecca McKelley\*, the Program Coordinator, presents the program to the community in order to make the public aware of this Court Program, as well as to secure volunteers as mentors. She conducts training sessions for the adult volunteers. Ms. McKelley also meets with youth and their families to determine if the young person is a good candidate for the Mentoring Program and to facilitate good matches of youth to mentors.

At the end of 2016 Connections had 24 active matches. These children are being served by the compassionate residents of Holmes County and are being exposed to learning new life skills, improved self-esteem, and a consistent example of positive family life. There are currently 24 active volunteer mentors. The program continues to seek new mentors and currently has a waiting list of 16 children.

\*Resigned in October 2016 and was replaced by Miranda McCullough.

### **3. Electronic Monitoring**

The Court also allocated grant funds in 2016 to provide the Court with the option of considering electronic monitoring as part of dispositional orders. Funds were used only in those circumstances where the juvenile and his or her parents or custodian could not afford the cost of electronic monitoring. Electronic monitoring provides strict supervision of youth and deprives them of complete freedom to engage in activities which may have lead or will lead to additional delinquent behavior, without placing those youth in detention or another secured facility, thus reducing detention and placement costs. A number of factors are considered before placing youth on electronic monitoring, including flight risk, whether a youth poses a threat to his family if kept in the home environment, and psychological and risk assessments, particularly in cases of sex offense. In FY2016, two youth were served through this program.