

HOLMES COUNTY JUVENILE COURT

2019
ANNUAL REPORT



JUDGE THOMAS C. LEE

May 22, 2020

To the Citizens of Holmes County, Ohio:

On behalf of Holmes County Juvenile Court and its staff, I am pleased to present the 2019 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. Menuez

Bailiff

Bradley S. Conn

Chief Deputy Clerk
Deputy Clerk
Deputy Clerk

Megan M. Hoxworth
Kristi Walton
Jessica Rohr

Chief Probation Officer
Probation/Diversion Officer
Probation/Diversion Officer
Probation Department Secretary

David Williams, LSW
Brody Williams
Rachel Cornell
Barbara Jean Spencer

Connections Mentoring Program Coordinator Miranda McCullough, LSW

PURPOSE OF JUVENILE DISPOSITIONS

Ohio Revised Code Section 2152.01 sets forth the purpose of Juvenile Court dispositions (sentences or Court orders) 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.



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 18th 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 whose condition or environment requires state (Children's Services) intervention.
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.
Protection Orders against a Child:	Actions by any person that include 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 new cases
were filed in Juvenile Court in 2019:*

<i>Delinquency</i>	<i>40</i>
<i>Traffic</i>	<i>94</i>
<i>Dependency, Neglect or Abuse</i>	<i>70</i>
<i>Unruly</i>	<i>3</i>
<i>Adult Cases</i>	<i>0</i>
<i>Motion for Permanent Custody</i>	<i>5</i>
<i>Custody, Change of Custody, Visitation</i>	<i>29</i>
<i>Support Enforcement/Modification</i>	<i>18</i>
<i>Parentage</i>	<i>0</i>
<i>U.I.F.S.A. (Uniform Interstate Family Support Act)</i>	<i>0</i>
<i>All Others</i>	<i>1</i>

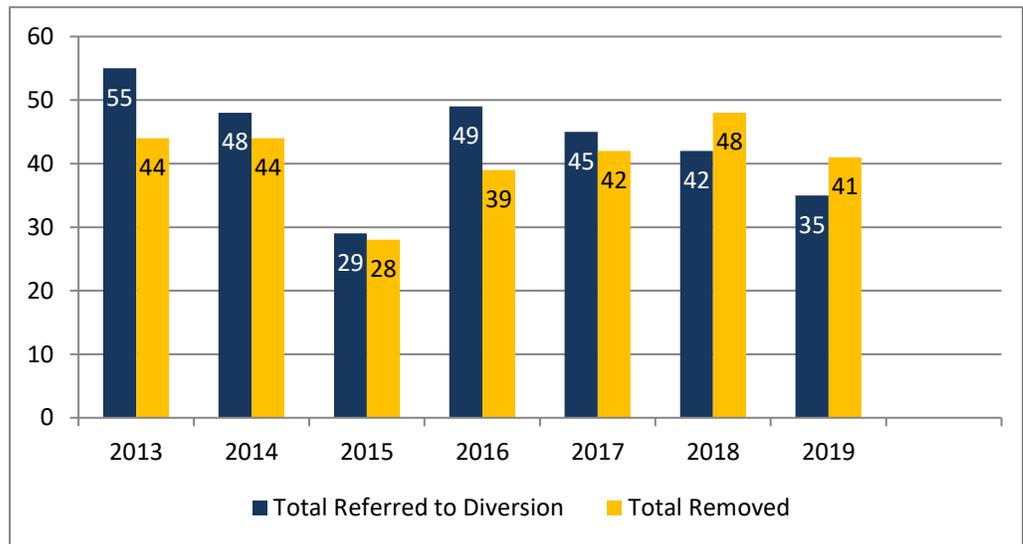
Total: 260



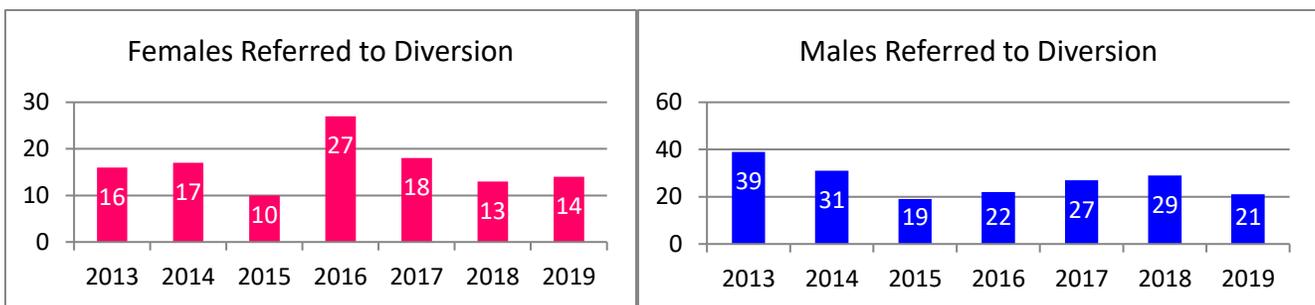
In 2019, thirty-five (35) juveniles *who were first-time offenders* were referred to the **Diversion Program**, thus reducing the number of cases brought formally before the Court. Of the 35 juveniles, 21 were male and 14 were female.

Forty-one (24 males and 17 females) were removed from Diversion.

Of those removed; thirty-six (36) were successful completions, four (4) were unsuccessful and one (1) was neutral.



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 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.



Note: 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.

TYPES OF OFFENSES REFERRED TO THE DIVERSION PROGRAM IN 2019

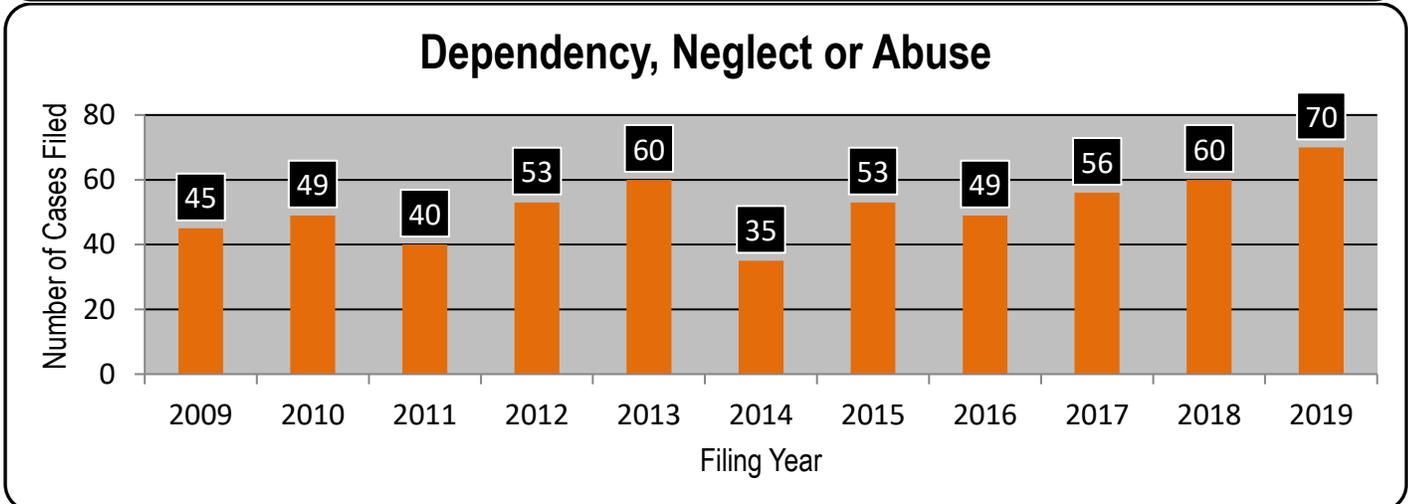
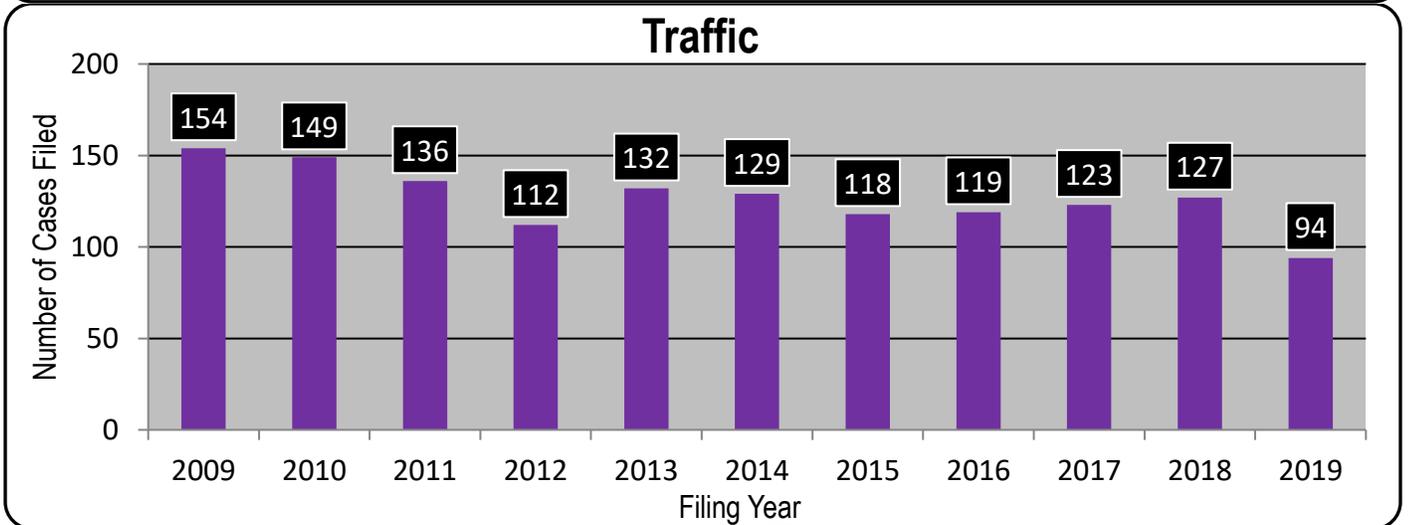
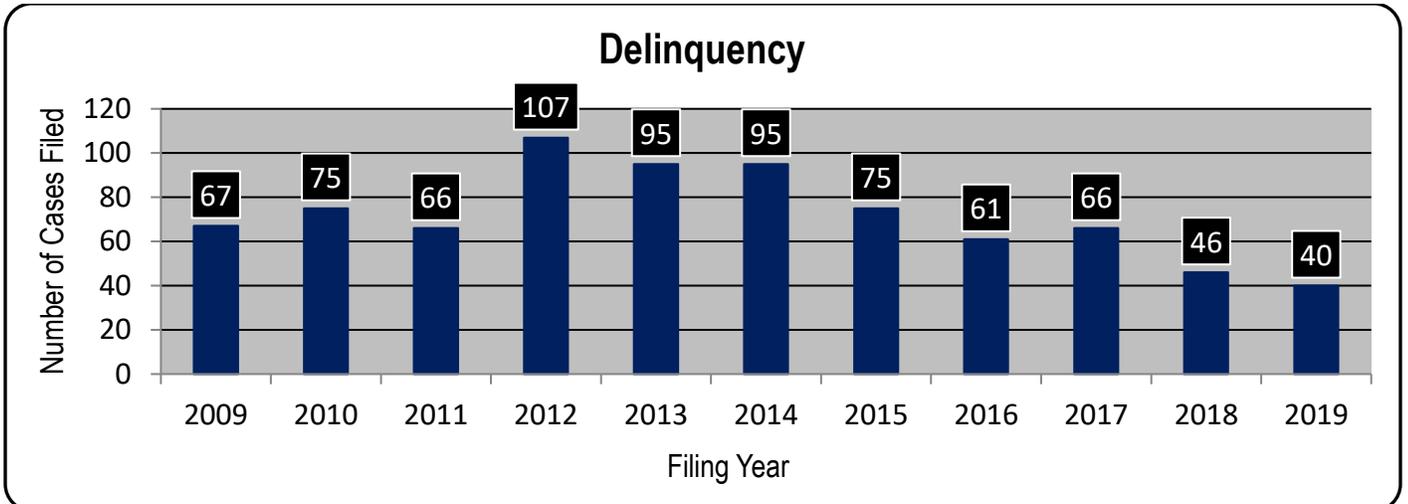


- Underage Consumption (28 cases)
- Disorderly Conduct (5 cases)
- Criminal Damaging/Endangering (3 cases)
- Criminal Trespass (2 cases)
- Domestic Violence (1 case)
- Assault (1 case)
- Possession of Marijuana (1 case)
- Unruliness: Truancy (1 case)
- Unruliness: Habitual Disobedience (1 case)
- Unruliness: Health & Morals (1 case)

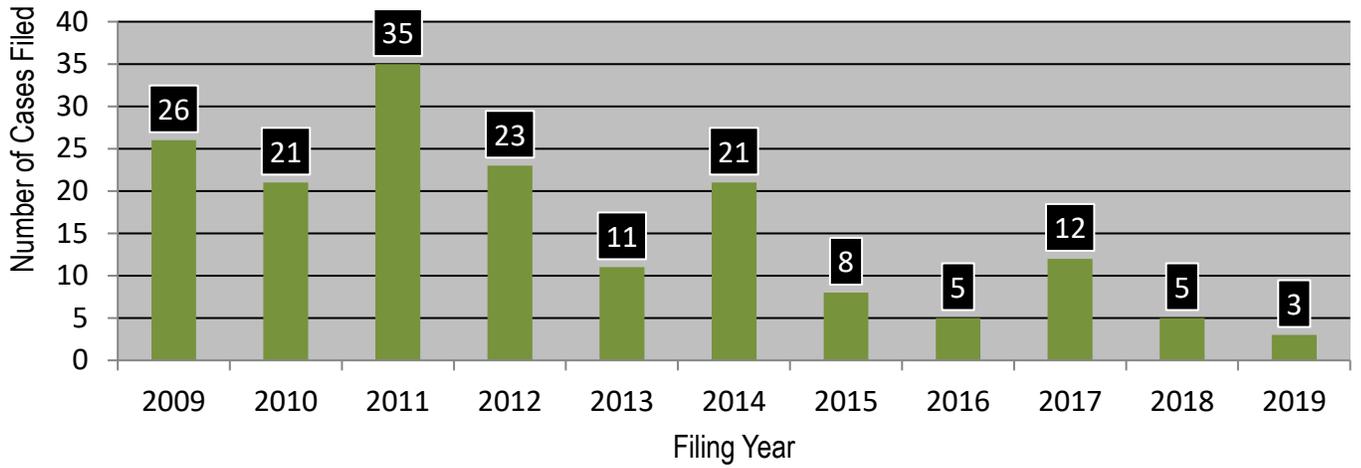
Note: These complaints/referrals were **handled** through the Diversion Program in 2019. Some of these offenses may have been received in 2018 and completed in 2019.



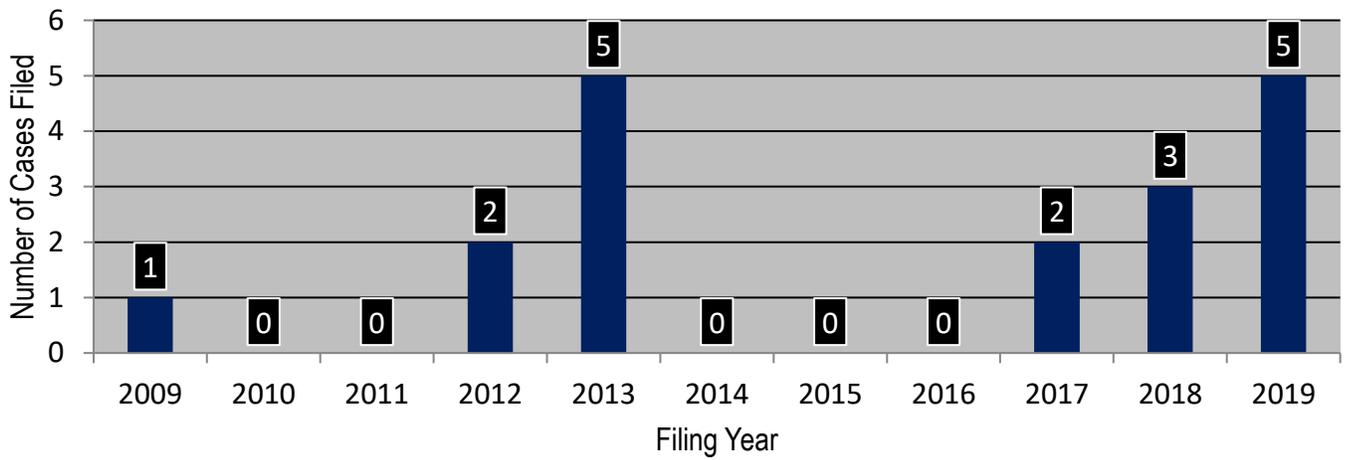
The following graphs illustrate the number of case filings for the years 2009 through 2019:



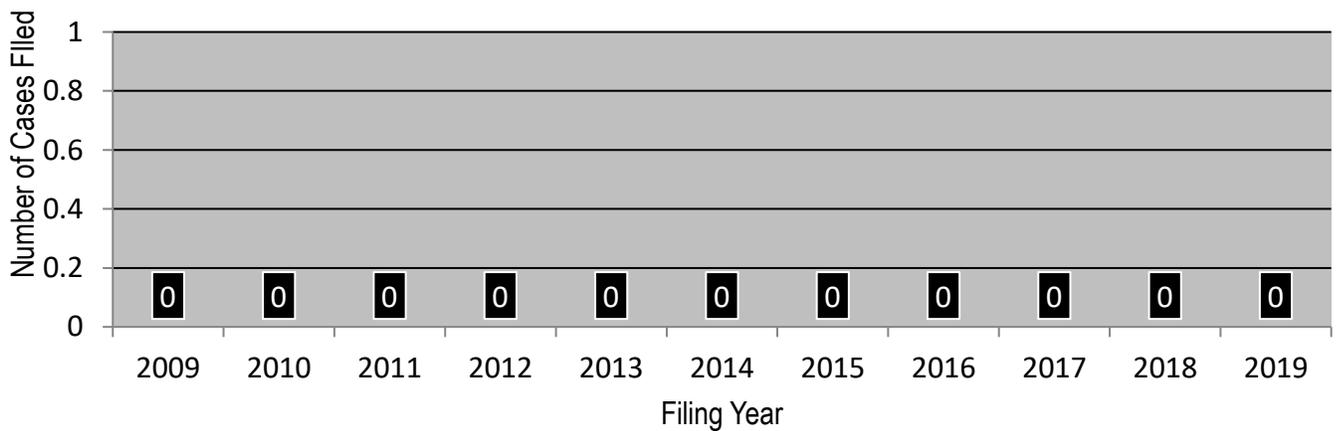
Unruly



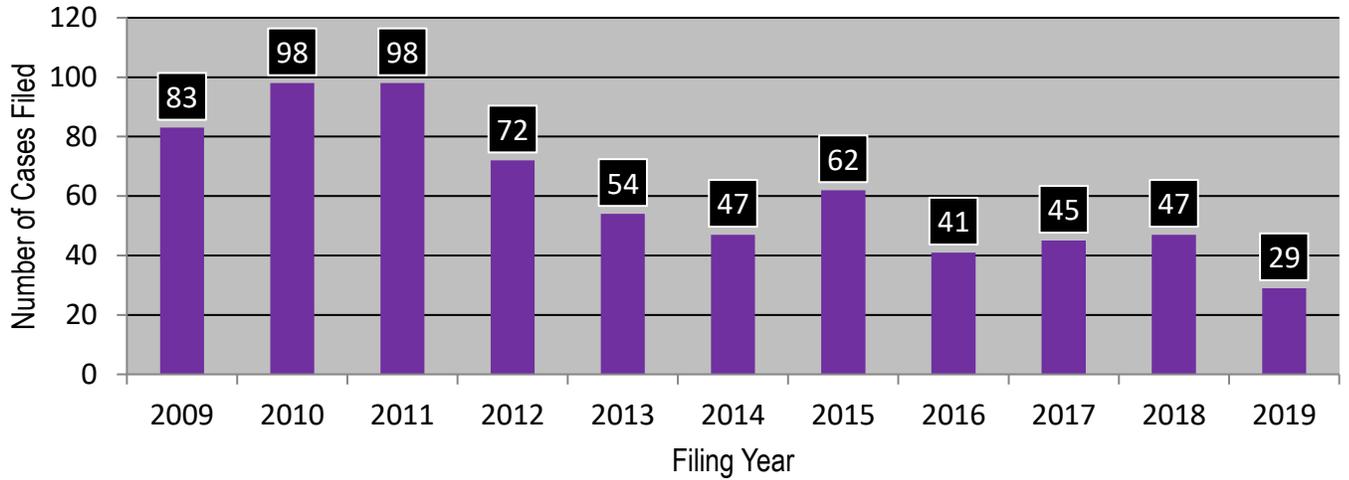
Motion for Permanent Custody



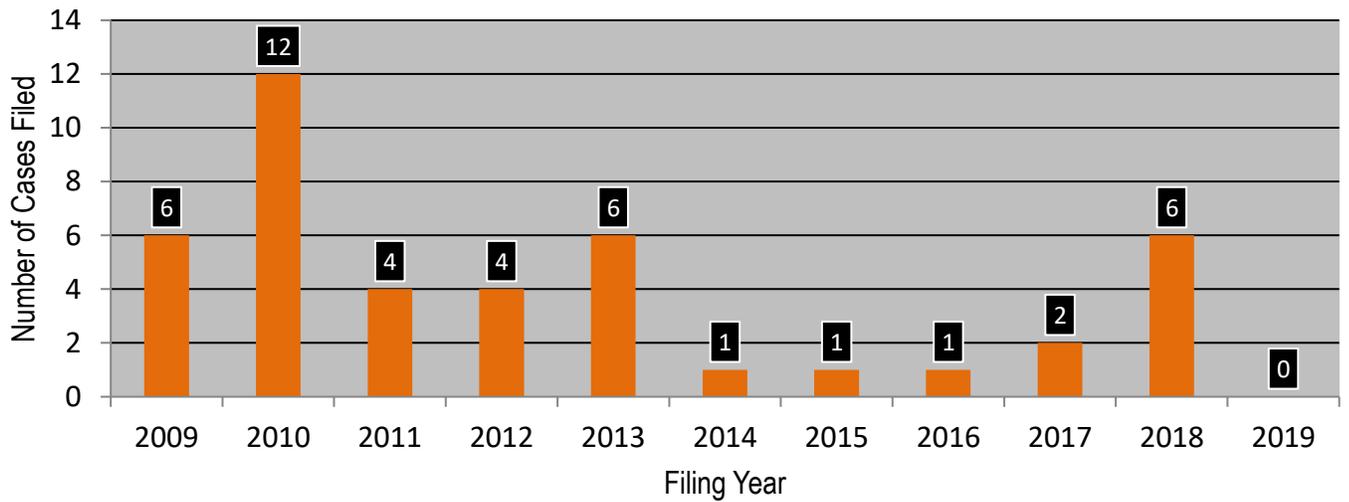
Adult Cases



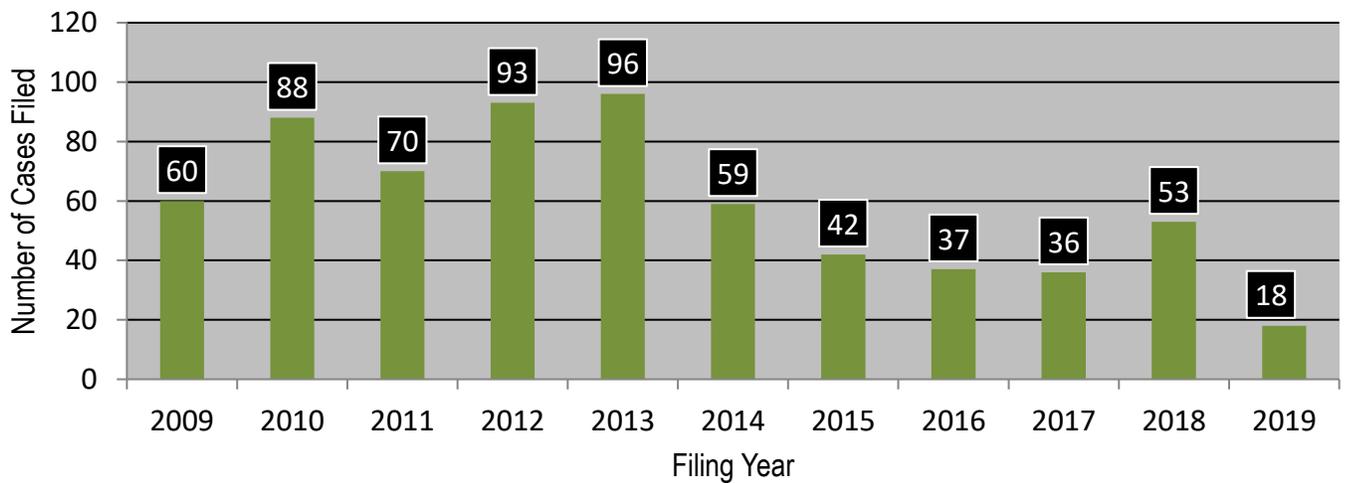
Custody, Change of Custody, Visitation



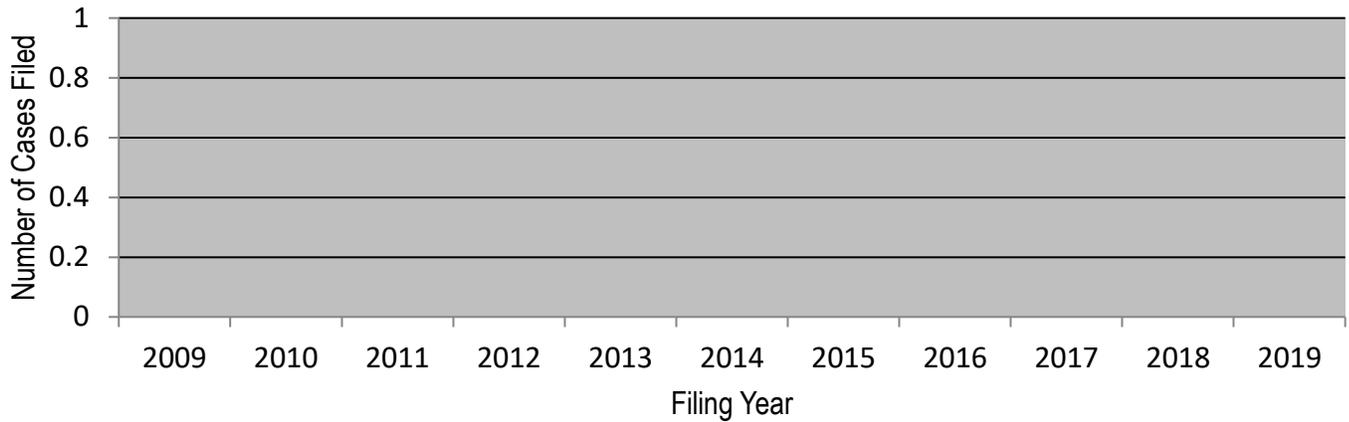
Parentage



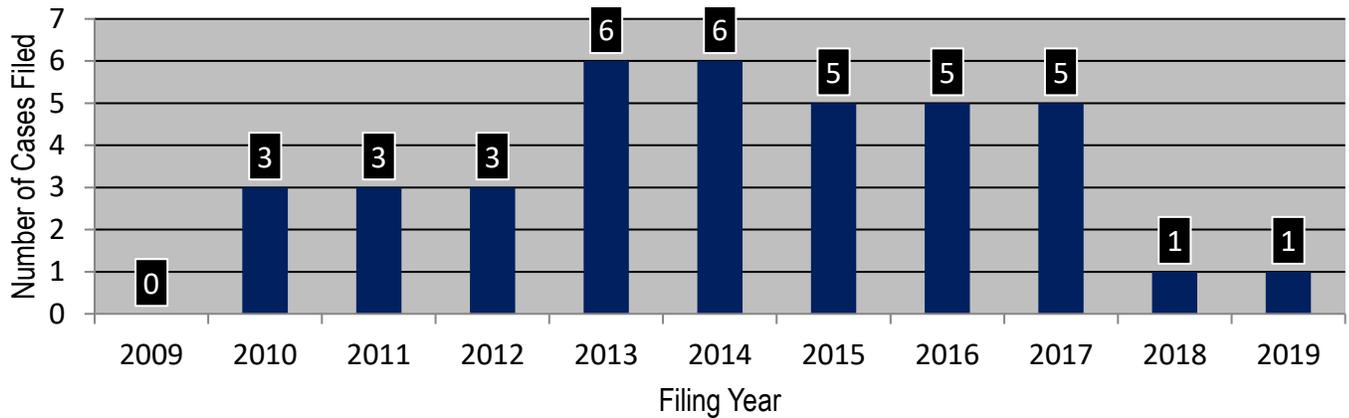
Support Enforcement/Modification



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

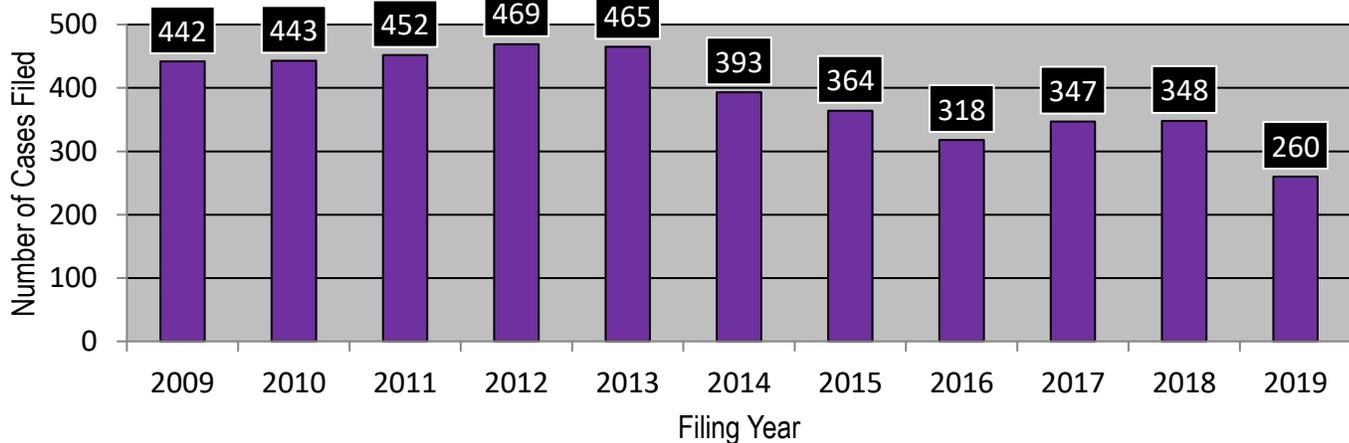


All Others



Note: A portion of the cases reported in the “All Others” category may include Grandparent Power of Attorney, Caretaker Authorization Affidavit, Civil Protection Order and Tobacco Violation.

Total Cases Filed





2019 JUVENILE TRAFFIC REPORT

Offense	# of charges
Speed	26
Assured Clear Distance Ahead	10
Failure to Control	10
No Operator's License or Temporary Permit	5
Failure to Stop/Yield	4
Right of Way	4
Marked Lanes / Left of Center	4
Display of License Plate	3
No Registration / Failure to Reinstate	3
Excess Passengers in Vehicle	2
Probationary License/Curfew	2
No Licensed Driver in Vehicle	2
Rules for Starting & Backing	1
Safety Belt	1
Expired Plates	1
Reckless Operation	1
Suspended License	1
OVI	1
Taillight Illumination	1
Total Dispositions	82
Total cases filed in 2019	108
Transfers to other County/State	26



2019 Delinquent and Unruly



Adjudications

Motion to Revoke/Modify Probation	19
Underage Consumption	7
Disorderly Conduct	6
Disseminating Matter Harmful to Juveniles	6
Criminal Damaging or Endangering	3
Sexual Imposition	3
Gross Sexual Imposition	3
Assault	3
Petty Theft	1
Domestic Violence	1
Habitual Disobedience	1
Grand Theft of a Firearm	1
Habitual Truancy	1



Felony Adjudications

Total 2019:
10 Felony Adjudications
(consisting of 4 male juveniles)

Adjudicated Charges include:

- F-3: Gross Sexual Imposition (2 counts)
- F-4: Gross Sexual Imposition (1 count)
- F-3: Grand Theft of Firearm (1 count)
- F-5: Disseminating Matter Harmful to Juveniles (6 counts)

NOTE: The total of ten (10) Felony adjudications were committed by four (4) juveniles.

2019

Habitual Truancy



“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 **thirty (30) or more consecutive hours without a legitimate excuse, forty-two (42) or more hours in a school month without a legitimate excuse, and seventy-two (72) or more hours in a school year without a legitimate excuse.** This constitutes the offense of Unruliness, in violation of Ohio Revised Code §2151.022(B).

In 2019, One (1) habitual truancy complaint/referral was received. This case was filed with the Court and adjudicated.

House Bill 410

Note: House Bill 410 was passed by the General Assembly and became effective April 6, 2017. Below are some of the changes as a result:

- ◆ Eliminates the law’s distinction between a “chronic truant” and “habitual truant” and, instead, provides that a child who has been adjudicated a habitual truant and who violates the court order regarding that adjudication may be further adjudicated a “delinquent child.”
- ◆ Bases the measure for “habitual truancy” on the number of **hours**, instead of the number of **days**, absent.
- ◆ Prohibits a school district or school from suspending, expelling, or removing a student from school solely on the basis of a student’s unexcused absences, and removes “excessive truancy” from the specifications for a school district’s zero tolerance policy for violent, disruptive, or inappropriate behavior.
- ◆ Makes changes to district and school policies on addressing truancy.
- ◆ Requires the Juvenile Court, upon the filing of a complaint that a child is unruly based on the child’s habitual truancy, to consider an **alternative to adjudication**, and provides that the court must consider the complaint only as a matter of last resort. The bill requires the juvenile court to provide notice of any adjudication related to a child’s truancy to the school district and school in which the child was enrolled when the complaint was filed.

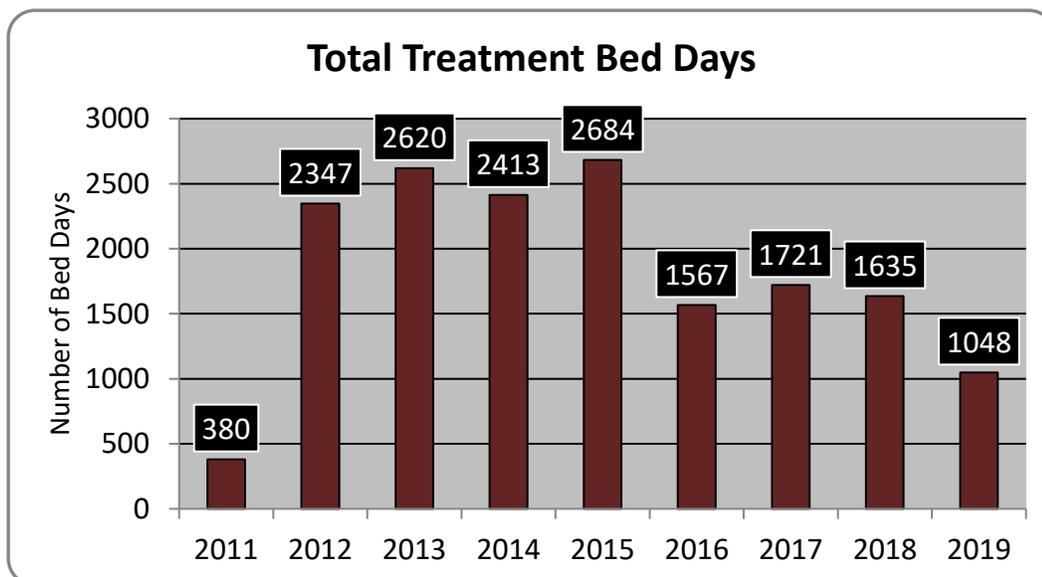


- ◆ Requires a Juvenile Court, when adjudicating a child unruly for truancy, to warn the parent, guardian, or custodian that the child’s violation of a court order regarding the child’s designation as an unruly child for being a habitual truant **may result in a criminal charge against the parent, guardian, or custodian.**

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 2019 the Court utilized Residential Treatment Centers and Therapeutic Foster Care for a total of

1048 bed days
for placements.

(112 of those treatment days were at no cost to Holmes County)

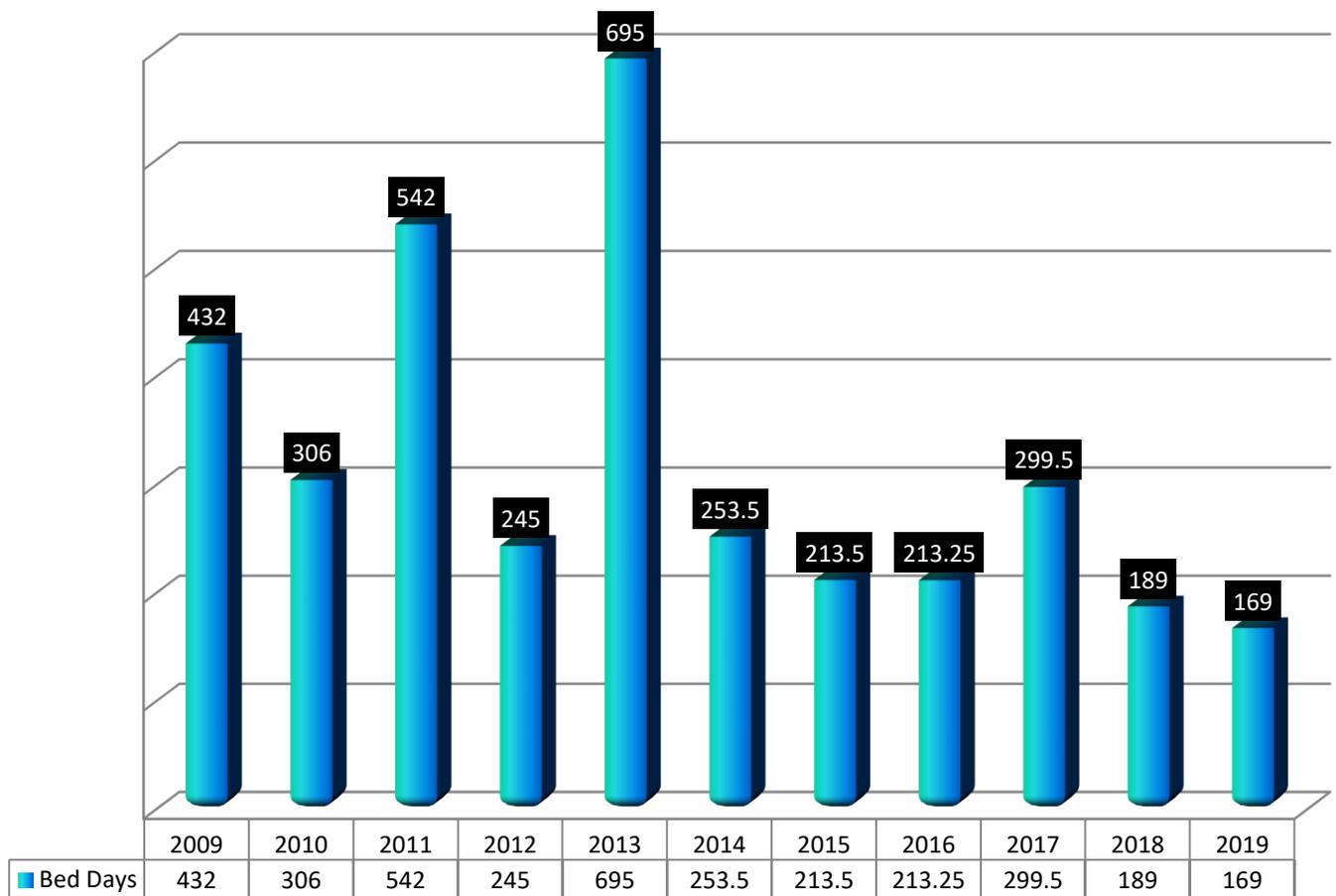
Ohio Department of Youth Services Facilities (ODYS) – ODYS is the Juvenile corrections system for the state of Ohio. It is statutorily mandated that only **felony** offenders, ages 10 to 21, who have been adjudicated, can be committed to ODYS by one of Ohio’s 88 county Juvenile Courts. Commitment is at the discretion of each Court’s Judge.

No Juveniles from Holmes County were committed to an ODYS Facility in 2019.

Juvenile Detention

In 2019 Holmes County used 169 **detention bed days** at the Richland County facility.

Following is a graphic illustration of detention bed day usage from 2009 through 2019.

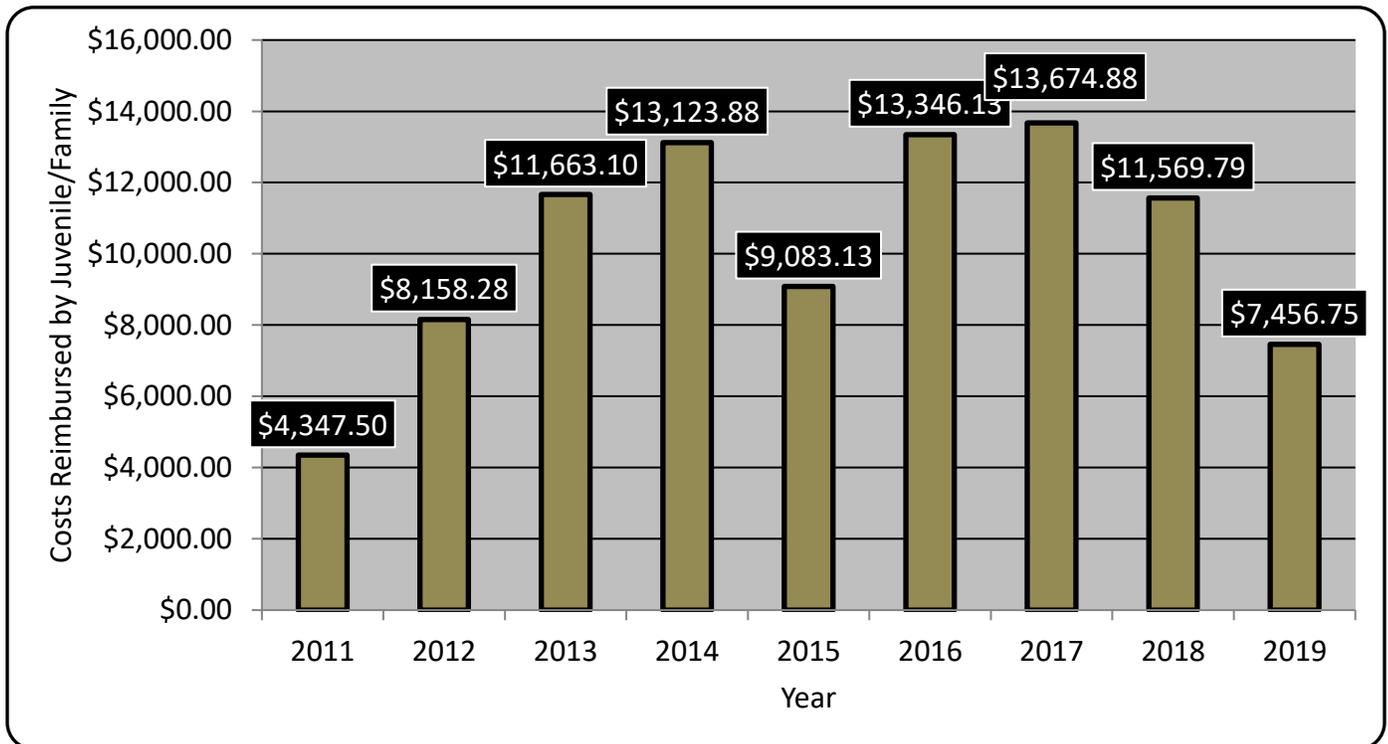


Please note that the detention usage from 2008 through 2010 was through Multi-County Juvenile Attention System.

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.

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 Cost Reimbursement



The detention costs collected in 2019, which amount to \$7,456.75, represent the cost of approximately 75 detention bed days.

- ◆ Beginning June 1, 2017, the cost for detention at the Richland County Juvenile Detention Center increased from \$85.00 per day to \$100.00 per day.
- ◆ The parents/legal custodians 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 2019, **the county has been reimbursed a total of \$92,423.44** towards said detention costs.

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/Diversion Officers and a Probation Department Secretary. All probation officers have caseloads assigned to them in which they are actively involved. Additionally, all officers have the following required duties:

- Filing Violations of Law/Court Orders through the Prosecutor's Office;
- Testifying in Court hearings;
- Attending ongoing education and training sessions;
- Writing and filing reports;
- Public speaking;
- Monitoring those youth under Court supervision for probation or Court orders;
- Utilizing arrest authority when appropriate.
- Assist local school districts with truancy team meetings.

All youth are assessed with the Ohio Youth Assessment System (OYAS) to measure the risk of recidivism. Youth assessed as "Moderate" or "High" to recidivate are provided with Evidence Based Programs to help reduce their risk.

Probation/Diversion 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.

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 the utmost importance that the Probation/Diversion Officers know the environments of those they supervise and the issues the juveniles face on a daily basis. An increase in use of illegal substances, deterioration in parental supervision and lack of positive home environments are the primary reasons more and more youth become involved in the criminal justice system.



Habilitation & Rehabilitation of the juvenile offender is our objective through accountability, responsibility, treatment and supervision. However, public safety and welfare is also considered when deciding the appropriate action to be taken.

During calendar year 2019:

- *Thirty-four (34) juveniles were placed on probation (20 male and 14 female)*
- *Forty-one (41) were removed from probation (23 male and 18 female)*
 - *Of those removed from probation:*
 - *36 were successful*
 - *4 were unsuccessful*
 - *1 neutral*

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 2019, a total of **1,731.25 hours** were completed by 51 juveniles for their community service commitment. At a minimum wage rate of \$8.55 per hour, those 1,731.25 hours represent *services valued* at \$14,802.19 to the Holmes County community.



MST (Multi Systemic Therapy)

The Holmes County Juvenile Court, through a partnership with the Mental Health and Recovery Board of Wayne and Holmes Counties implemented Multi Systemic Therapy (MST) utilizing the Behavioral Health and Juvenile Justice (BHJJ) grant. MST is a program that serves male and female youth between the ages of 10 and 17.5 who are involved with the Holmes County Juvenile Court.



Participating youth meet some if not all of the following criteria:

- ✓ At risk of out-of-home placement or returning from out-of-home placement.
 - ✓ Multiple system involvement.
 - ✓ Parent(s) or legal guardian(s) willing and committed to participating in the program.
 - ✓ Previously failed treatment attempts.
- ✓ Significant history of involvement with the juvenile justice system.

Once a youth is identified as a possible candidate for the MST program, a member of the probation department makes an initial screening contact with the family to verify eligibility, discuss the program, and gauge the ***family's willingness and commitment to participate***. If the family is determined to be appropriate for this program, a referral is submitted to the Child Guidance & Family Solutions MST supervisor, who then conducts a thorough screening call with the family.

Upon completion of the referral process, the case is given to the MST therapist to conduct a comprehensive clinical assessment prior to beginning work with the family. *The MST therapist meets with the family **approximately three times per week**, or what is deemed clinically appropriate, for **approximately three to five months** depending on the family's needs.*

These meetings occur in the families natural environment (home, school, community), and include the families' support system (relatives, friends, neighbors, etc.). Families have access to a MST therapist 24 hours a day, 7 days a week for crisis situations. The therapist's low case load of four to six families at a time allows for increased availability.

The goal of MST is to empower the caregivers with the skills to manage the youth's current behaviors and any new behaviors that might arise, as well as to be able to apply those skills to other youth in the home.



This “multi systemic” approach views individuals as being surrounded by a network of interconnected systems that encompass individual, family, and extra familial (peer, school) factors, and recognizes that interventions may be necessary in any one or combination of these systems to bring about a desired behavior change. Therapists ***focus on engagement and alignment with the primary caregiver and key stakeholders.*** The therapist utilizes the nine MST Treatment Principles and the MST Analytic Process to guide their treatment. There is an ongoing process of finding the fit between identified problems and their broader systemic context. This then leads to individualized interventions for each family.

Examples of interventions often used are the following:

- Home behavior contracts
- Safety plans
- Supervision and monitoring plans
- Prevention and retrieval plans for leaving without permission/runaway behaviors
- Daily report cards for school behaviors – including improving home-school link
- Peer approval checklists
- Involvement in pro social activities
- Home drug/alcohol screening plans

Throughout the duration of participation in the MST program, the MST therapist stays in close communication with the youth's probation officer, and/or other key participants, through regular phone calls and meetings. In addition, numerous quality assurance methods are used to ***guarantee the families are receiving the best treatment possible*** in adherence with the MST model as outlined below:

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- Through the license by MST Services, the MST provider utilizes a standardized and comprehensive system including weekly team supervision, consultation and quarterly training. In addition, the Therapist Adherence Measure (TAM), Supervisor Adherence Measure (SAM) and Consultant Adherence Measure (CAM) are also completed

- The project's community partners/stakeholders meet on a quarterly basis to discuss the program
- Program staff complete numerous screening tools and questionnaires with the participants throughout the program to aid in program evaluation by Case Western Reserve University, including: Ohio Youth Assessment System (OYAS), Caregiver Information Questionnaire (CIQ-I), Enrollment and Demographics Information Form (EDIF), Ohio Scales, Recent Exposure to Violence (REVS), Substance Use Survey (SUS) and Trauma Symptoms Checklist for Children (TSCC).

Determining when the youth has successfully completed the MST program is a collaborative decision between the MST provider, MST consultant, probation officer, youth, parents and other support systems that may be involved with the youth. In making the decision the team determines if the treatment goals (i.e., referral behaviors) have been achieved for at least three to four weeks, and if the family is able to effectively manage any future problems with success.



The ultimate outcome is to ensure the youth remain in the home, in school, and have no new legal charges at discharge.

Results:



MST served eleven (11) youth/families in 2019. Eight (8) of the cases in 2019 had instrumental outcomes met. Three (3) cases did not complete the services due to a change of placement and/or refusal from the parents to continue services.

Instrumental outcomes are:

- Evidence that the primary caregiver has improved the parenting skills necessary for handling subsequent problems;
- Evidence of improved family relations;
- Improved network of informal social supports;
- Evidence of success in an educational setting;
- Youth involved with prosocial peers and activities;
- Changes in behavior of the youth and in the systems contributing to the referral behaviors have been sustained for 3-4 weeks.



“Connections” Mentoring Program

This program addresses the problem of young people who lack positive adult role models. 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.

Miranda McCullough, 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. McCullough 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 2019 Connections had **24 active matches**. These children are served by 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 23 active volunteer mentors. The program continues to **seek new mentors** and currently has a waiting list of 12 children.

Youth Services Grant/RECLAIM

The Youth Services Grant/RECLAIM are State subsidized programs 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 2019 (covering the period of July 1, 2018, through June 30, 2019) Holmes County Juvenile Court received \$186,958.45 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 FY2018 the carryover limit was 25% of the total FY2016 grant allocations.

The following two programs were totally or partially funded by the Youth Services Subsidy Grant in 2018:

Probation & Diversion:

These grant programs provide the entire salary and benefits for our two full-time Probation/Diversion Officers and the wages and benefits of the Probation Department Secretary. The maintenance portion of the

program provides the Probation/Diversion Officers with cellular phones in order to remain in contact with the Court and the Probation Office, funding for drug test kits, Carey Guide (Evidence-Based Programming) materials, and in this fiscal year three computer equipment purchases.

The Department of Youth Services continues to move to a behavior change approach to dealing with youth, rather than supervision and community control. As part of those efforts, the Department provided special funding through the grant in FY19 for our Court to host a training, which was open to Courts across Ohio, for Carey Guide programming implementation by other Courts.



Mentoring:

The Connections Mentoring Program is described in depth elsewhere in this report. The Court contracts with the Program Coordinator, Miranda McCullough, for her services, and the Grant pays for the contractual services, as well as provides funding for advertising and publicity, supplies and program activities, background checks for potential mentors, and training for the coordinator.

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.