

# ASHLAND COUNTY JUVENILE COURT



Annual  
Report

2018

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JUDGE DAMIAN J. VERCILLO



## **INTRODUCTION**

The Ashland County Juvenile Court and Probate Court are divisions of the Common Pleas Court of Ashland County, Ohio.

The Ashland County Juvenile Court is committed to service to the community, treatment of all persons who come before the Court with dignity and respect, and to continuous improvement.

The Juvenile Court's goal is to provide for the education, rehabilitation, care, protection, and mental and physical development of children subject to the jurisdiction of the Court. Further, the Court is committed to protect the welfare of the community and the public interest by treating children as persons in need of supervision, care and rehabilitation. The Court is dedicated to holding offenders and, where appropriate, their parents accountable for their actions; to protect the community; to guarantee the right of due process under the law to all persons; to develop services and positive relationships with all other agencies within the community, with the goal of meeting the unique needs of young people and their families; to ensure that victim's rights are identified and their needs addressed; and to believe that the potential for positive change exists in all people.

Separately, the Probate Court has numerous duties that range from issuing marriage licenses to overseeing the administration of estates, some of substantial value. The Probate Court oversees guardianships for minors and incompetent adults and is, in fact, the Superior Guardian of these individuals.

Together the Juvenile and Probate Courts are responsible for the welfare of the most vulnerable members of our community. The Court must decide all of its cases on established legal principles, but also must determine the best course of action to achieve justice for individuals and society as a whole.

The work of the Juvenile Court remains challenging. While delinquency rates are on the decline, the seriousness of the cases are of great concern. The multiple needs and issues identified in the cases challenge Court resources as well as the resources of the community as a whole.

The Court continues to seek out programming for youth and families to assist youth in making better decisions and to assist families in managing the behavior of youth. The Court has named a longtime Court staff member as the Court's Program Director. The Program Director oversees existing programs but is also creating new programs to assist our young people. She is also implementing partnerships with local agencies to pursue those same goals.

Both the Juvenile and Probate Courts will continue to strive daily to meet the highest standards and administer justice to all who come before the Court.

## **COURT STAFF AND THEIR ROLES**

There is one Judge of the Ashland County Court of Common Pleas, Juvenile and Probate Divisions. The Judge is elected by the citizens of Ashland County and serves a six-year term. In 2018, Judge Damian J. Vercillo is serving the third year of his fourth term.

The Juvenile Court has one Magistrate. A Magistrate may hear and decide cases assigned by the Judge. The Magistrate's decisions are subject to objections by any party to the case. The Judge must decide and rule upon objections. The Magistrate is appointed by the Judge and serves at the pleasure of the Judge.

The Juvenile and Probate Courts have one Court Administrator whose duties are too many to list individually. However, the Court Administrator is responsible for the overall operations of the Court. She supervises staff, manages the processes of the Court and clerk's offices, and implements policies and procedures with the Judge to provide for the efficient operation of the Court. In Ashland County, the Court Administrator is also the grants coordinator, handling all aspects of grants which provide substantial income to the Juvenile Court.

The Court employs a Program Director who oversees all existing programs and creates and implements new programs to assist youth and their families. The Program Director is also the supervisor of the Court's diversion and probation officers.

The Judge is also the Clerk of the Court by statute and is authorized to appoint deputy clerks to assist in the administration of the Court. The Court has funding to employ up to six (6) deputy clerks in both divisions.

The Juvenile Court has its own Probation and Diversion Department. Probation Officers manage juveniles who have been adjudicated delinquent or unruly to assist in the rehabilitation of such youth utilizing Carey Guides. Our Diversion Officer provides an alternative to formal court process for low or moderate risk level youth who are first time offenders. The Court has funding for three (3) probation and diversion officers and separately employs a department supervisor.

The Ashland County Juvenile Court previously operated its own juvenile detention center and, therefore, employed a Detention Director, teacher and detention officers. In 2013, the Court made the difficult decision to close the detention center for many reasons. The Court contracts primarily with the Erie County Juvenile Detention Center for secure detention services. This has resulted in a cost savings to the county of several hundred thousand dollars every year. At the same time, the detention services provided to youth have significantly improved.

## **GENERAL ACTIVITY**

The Juvenile Court deals with two types of young people who come within the juvenile justice system; namely, juvenile offenders and juvenile victims. Juvenile offenders are classified by law as either delinquent children, unruly children, or juvenile traffic offenders. Juvenile victims are classified by law as neglected children, dependent children, or abused children. In addition to the above, the Juvenile Court also handles numerous other types of cases, including paternity cases, custody and permanent custody cases, child support cases, and adult cases.

**DELINQUENT CHILD:** When a person under the age of eighteen commits an act which, if committed by an adult, would be a crime, the juvenile is determined to be “delinquent”; that is, late in developing proper judgment to follow the requirements of law.

**TRAFFIC:** When a juvenile violates a traffic law, the juvenile is referred to as a Juvenile Traffic Offender. Juveniles are subject to different penalties, referred to as “consequences,” compared to adult traffic offenders.

**ABUSED, NEGLECTED, OR DEPENDENT:** The Court may determine that a child is abused, neglected, or dependent under the definitions of the law. The Court may remove the child from an inappropriate or dangerous environment in order to place the child in foster care, with relatives, or remain with the family, but under supervision.

**PARENTAGE:** A parentage action may be commenced by a child, a person claiming to be the parent of a child, such person’s representatives, or the Child Support Enforcement Agency (CSEA). Determination is usually made by the use of DNA testing of the parents of the child. Once parentage is established, the issues of parental rights and support may be addressed.

**UNRULY:** A child who does not submit to the reasonable control of the child’s parents, teachers, or guardian may be adjudicated an unruly child. A child who is truant from school, or behaves in a manner as to injure or endanger his or her health or morals, or the health or morals of others, also may be adjudicated an unruly child. The Court has broad discretion to fashion a remedy to resolve the unruly behavior.

**ADULT:** Adult cases are prosecutions against a persons over the age of eighteen years, accused of contributing to the delinquency of a minor, or other misdemeanor offenses where a minor is the victim (i.e., domestic violence, child endangering).

**MOTION FOR PERMANENT CUSTODY:** Motions for permanent custody are filed in situations where the child’s environment is so inappropriate, and the parents’ ability to care for the child is so inadequate, that it warrants permanently terminating the rights of parents in the parent-child relationship.

**CUSTODY/VISITATION:** Issues of custody and visitation between parents of children whose parents were married to each other, then divorced, are heard by the domestic relations division of the Court of Common Pleas. The Juvenile Court has jurisdiction over issues of child custody and visitation (parenting time) for children whose parents were never married to each other, and whose parents are married but living separately, prior to filing for divorce in domestic relations.

**SUPPORT:** The Juvenile Court has jurisdiction over issues of child support for children whose parents were never married to each other, or whose parents are separated but have not yet filed for divorce in the domestic relations division.

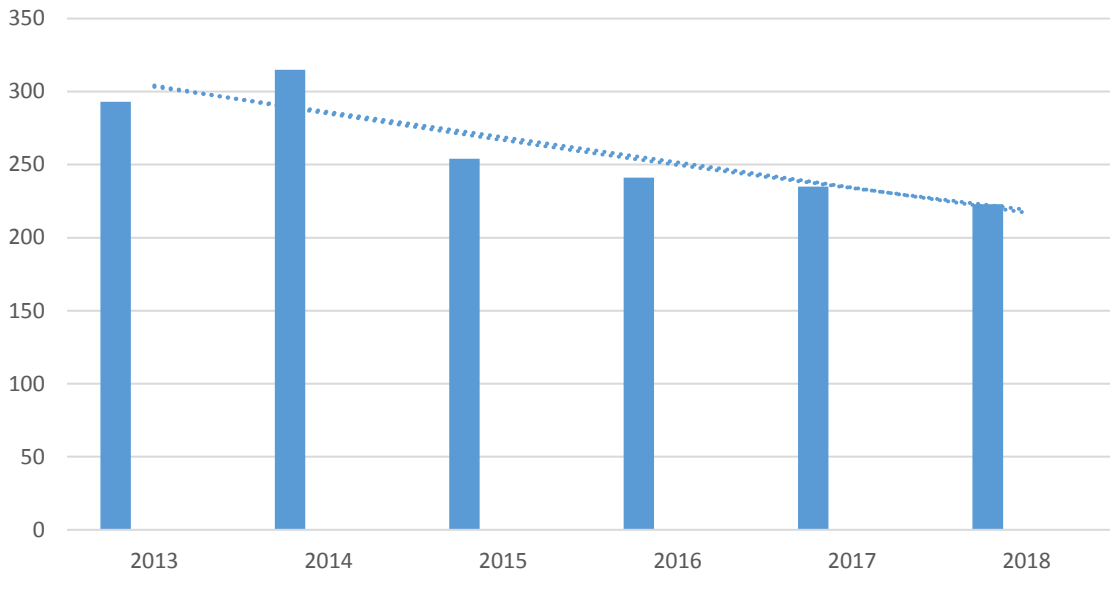
**U.I.F.S.A.:** The Uniform Interstate Family Support Act is embodied in Ohio law in §3115.01 et seq., and provides a procedure whereby court orders of support in different states may be enforced in Ohio, if one of the parties is an Ohio resident.

**ALL OTHERS:** Cases that do not fall into the categories listed here are recorded in the Supreme Court Report. These cases include Grandparent Powers of Attorney/Caretaker Affidavits, Judicial Bypass, Marriage Consents, Civil Protection Orders, Reclassification Petitions, and other miscellaneous matters that do not fall into other categories.

## **2018 SUPREME COURT STATISTICS**

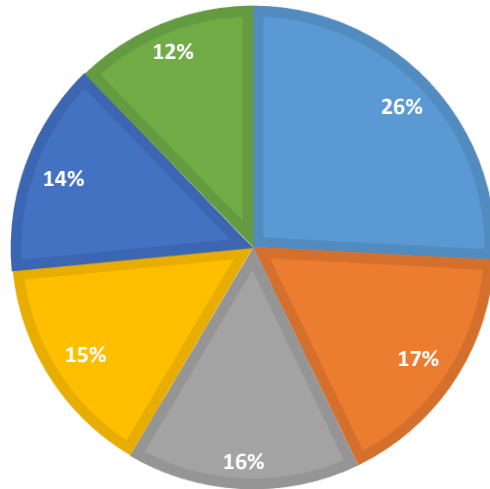
	<b>Delinquency</b>	<b>Traffic</b>	<b>Abuse, Neglect or Dependency</b>	<b>Unruly</b>	<b>Adult</b>	<b>Motion for Permanent Custody</b>	<b>Custody or visitation</b>	<b>Support</b>	<b>Parentage</b>	<b>U.I.F.S.A.</b>	<b>All Others</b>
<b>New Cases Filed</b>	223	239	96	36	3	8	127	254	3	0	3
<b>Cases Terminated</b>	213	229	72	30	4	9	123	155	4	1	3

### NEW CASES FILED-DELINQUENCY COMPARISON CHART



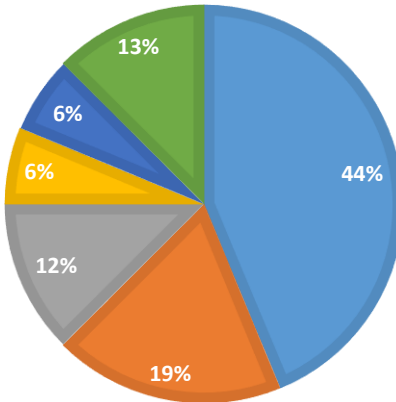
### 2018 TOP 6 DELINQUENCY OFFENSES

■ Theft ■ Underage Offense ■ Assault ■ Probation Violation ■ Disorderly Conduct ■ Drug Abuse



## 2018 TOP 6 FELONY ADJUDICATIONS

■ Breaking and Entering                      ■ Assault  
■ Receiving Stolen Property                ■ Drug Trafficking  
■ Rape    ■ Complicity to Breaking and Entering



In 2018, a total of 19 youth (17 males, 2 females) committed a total of 22 felony offenses.

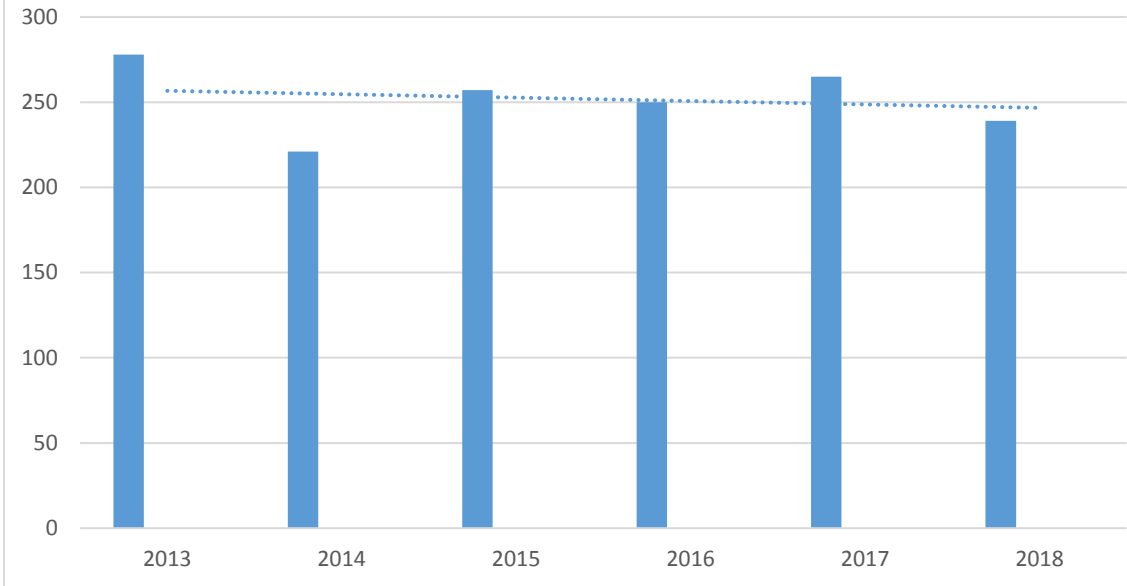
Of those who were adjudicated for having committed felonies 6 young people (all males) were placed at the Northern Ohio Juvenile Community Corrections Facility (NOJCCF). The NOJCCF is a secure facility funded by the Ohio Department of Youth Services and is located in Sandusky, Ohio. It is operated under the direction of five Juvenile Courts, Ashland County Juvenile Court being one of those courts. The NOJCCF is program-oriented, including, but not limited to, a sex offender program. Youth placed at that facility are expected to complete all programs in which they are placed. The length of stay at the NOJCCF is determined by the Court, but generally ranges from six months to one year.

None of the adjudicated youth were placed at the Ohio Department of Youth Services (ODYS) in 2018.

Juveniles designated as serious youthful offenders may receive blended sentences, both a juvenile disposition and an adult sentence. In order to be designated as a serious youthful offender, one or more of the following need to apply: juvenile must be at least ten years of age; juvenile's charge is a violent offense; juvenile used, displayed or brandished a firearm while committing the offense; juvenile was previously committed to the Ohio Department of Youth Services.

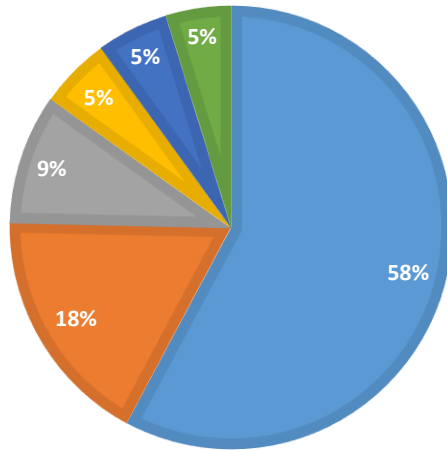
During 2018, no youth were sentenced as a Serious Youthful Offender.

### NEW CASES FILED-TRAFFIC COMPARISON CHART



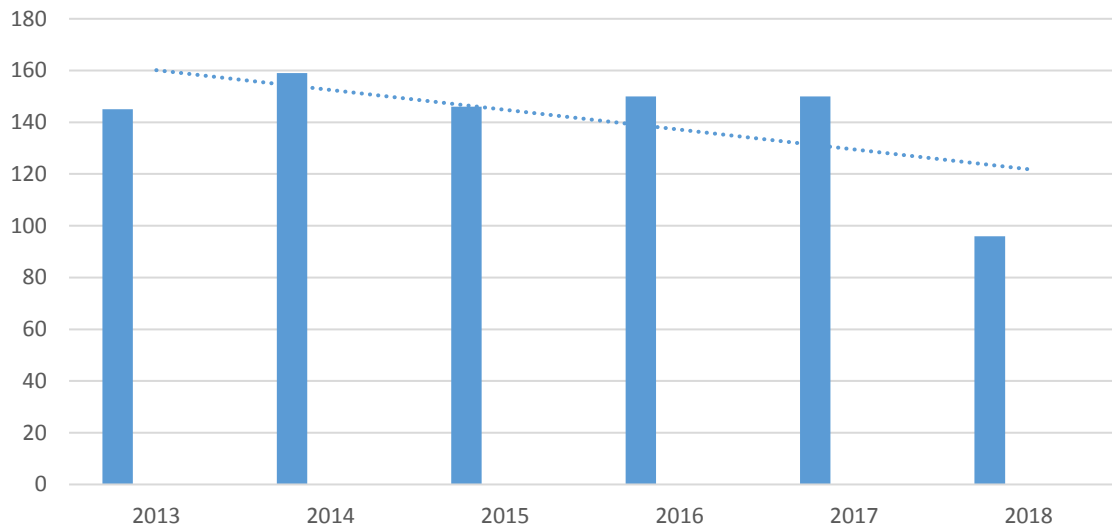
### 2018 TOP 6 TRAFFIC OFFENSES

- Speeding
- Failure to Control
- Assured Clear Distance
- Seat Belt Violation
- No Operator's License
- Stop Sign Violation

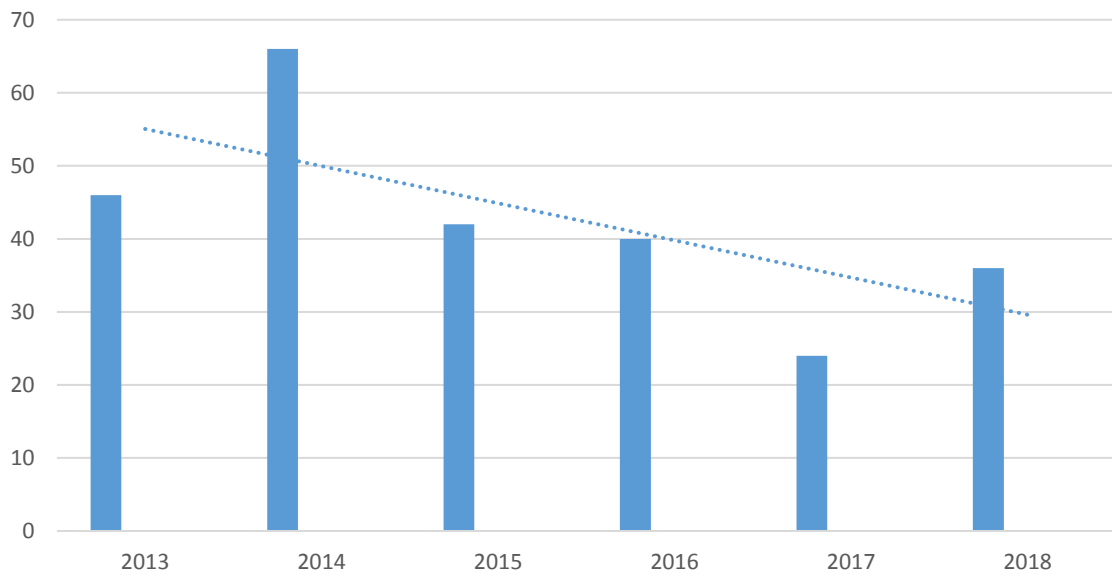




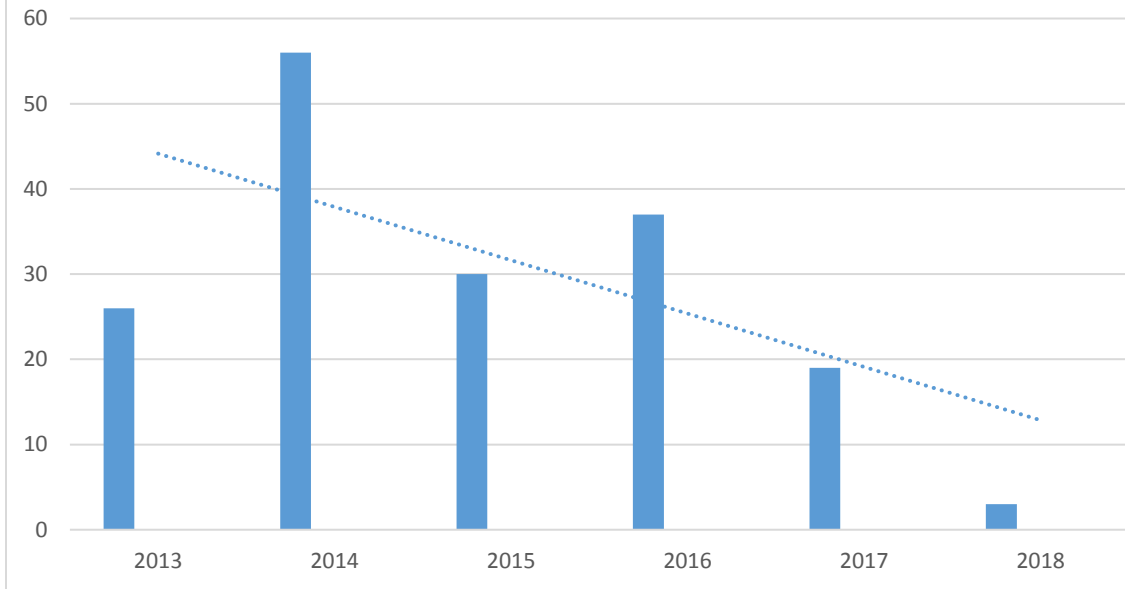
### NEW CASES FILED-ABUSE/NEGLECT/DEPENDENCY COMPARISON CHART



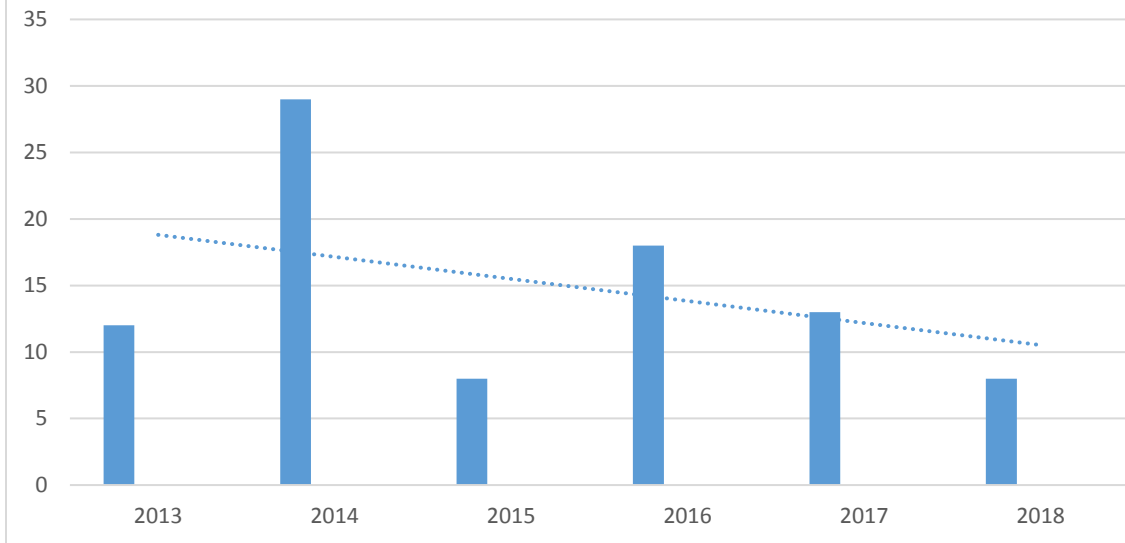
### NEW CASES FILED-UNRULY COMPARISON CHART



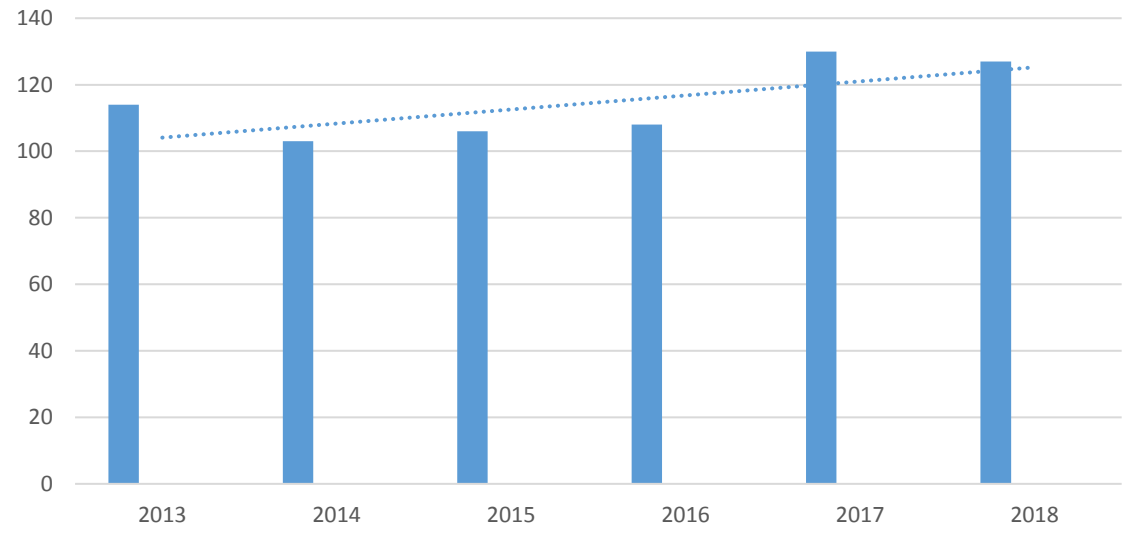
### NEW CASES FILED-ADULT COMPARISON CHART



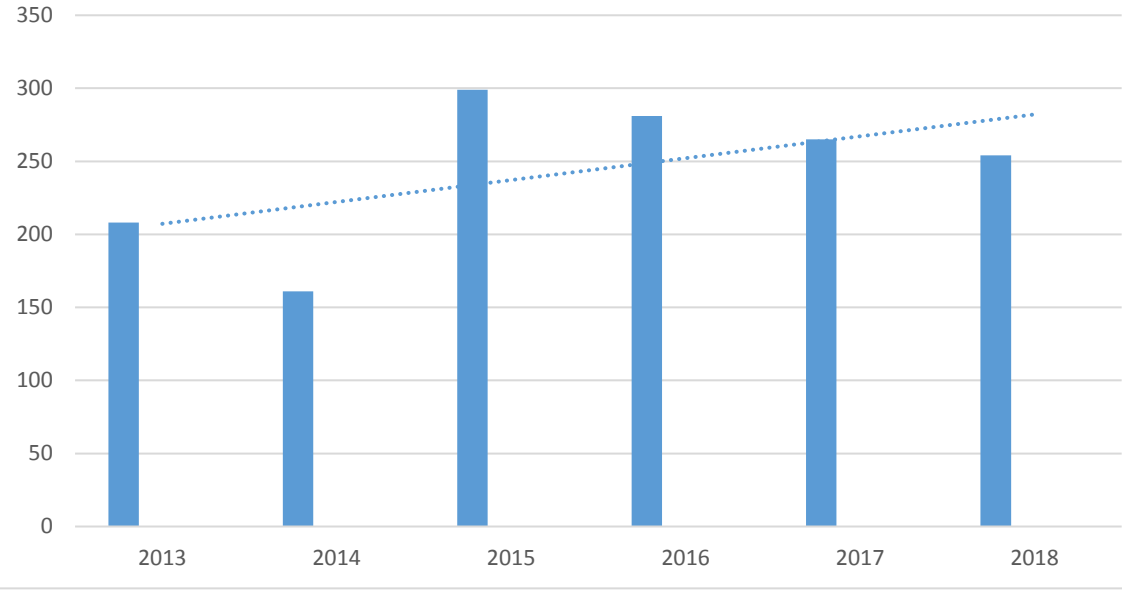
### NEW CASES FILED-MOTION FOR PERMANENT CUSTODY COMPARISON CHART



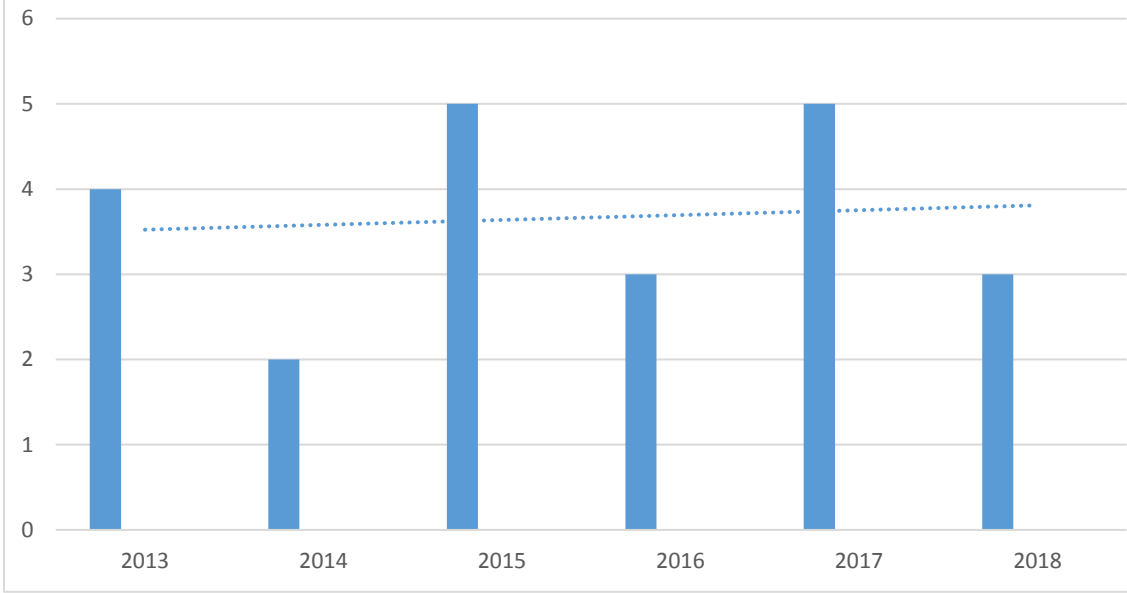
### NEW CASES FILED-CUSTODY/VISITATION COMPARISON CHART



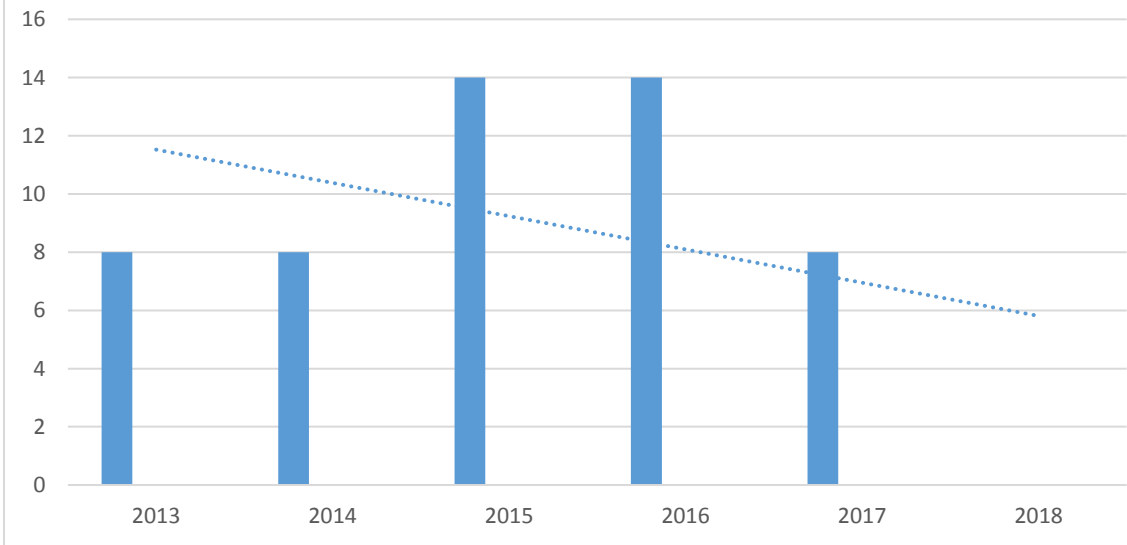
### NEW CASES FILED-CHILD SUPPORT COMPARISON CHART



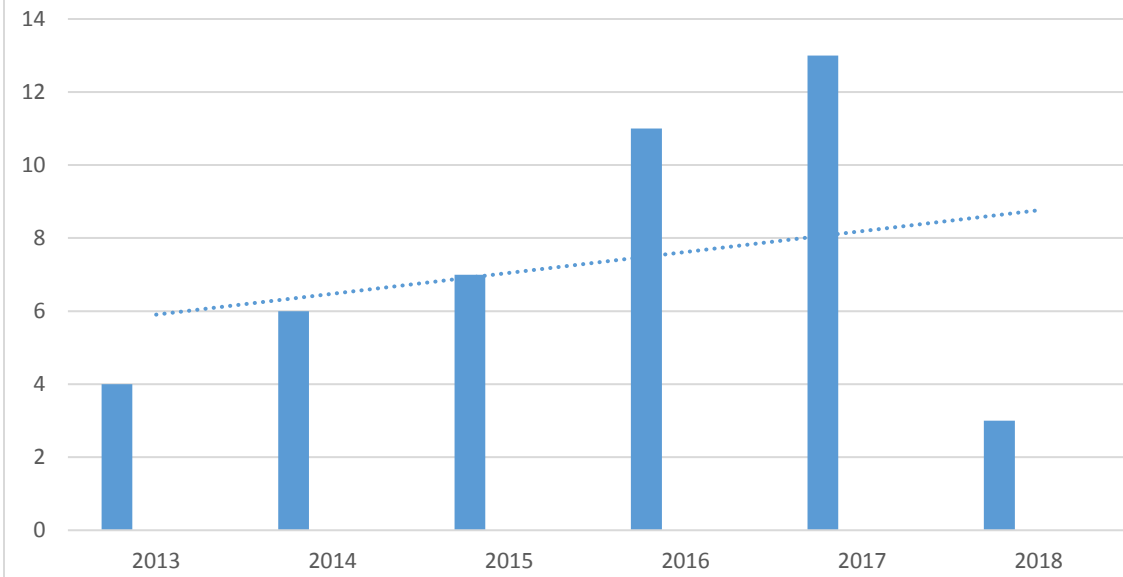
NEW CASES FILED-PARENTAGE COMPARISON CHART



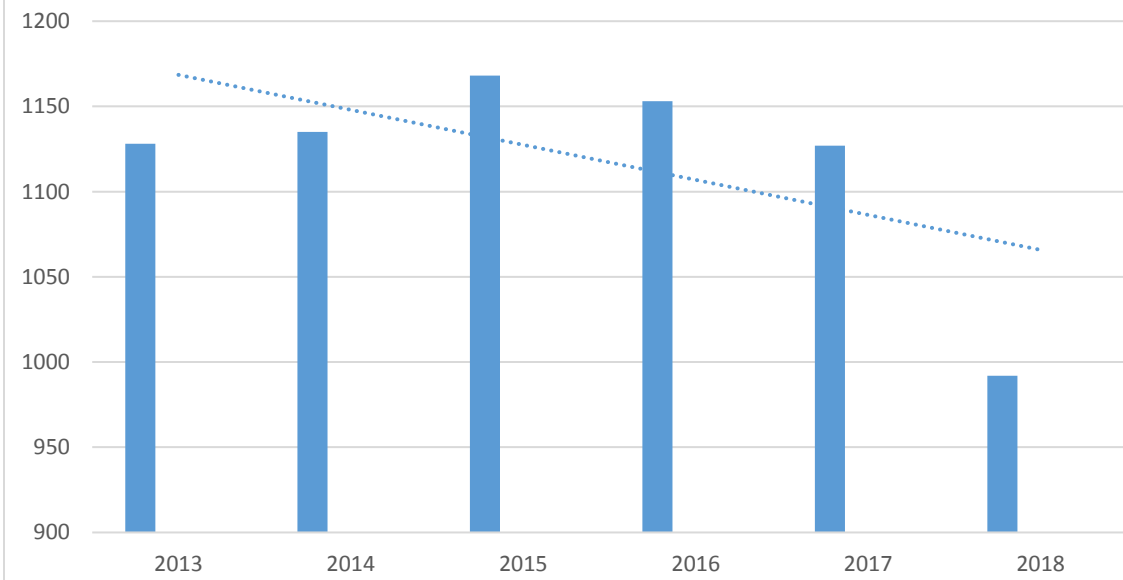
NEW CASES FILED-UNIFORM INTERSTATE FAMILY SUPPORT ACT (U.I.F.S.A.) COMPARISON CHART



NEW CASES FILED-ALL OTHERS COMPARISON CHART



TOTAL NEW CASES FILED COMPARISON CHART



## **SCHOOL TRUANCY**

Prior to 2017 school truancy issues could be handled in Juvenile Court through the filing of an Unruly Complaint or, in some cases, a Delinquency Complaint. In 2017 H.B. 410 was enacted into law which changed the manner in which truancy cases were to be handled by both the school and the Juvenile Court. The goal is to provide intervention services to address the school attendance issues and avoid formal court adjudication. To implement these provisions of the law and to help assist young people with school attendance issues the Court has created a program called Alternative Solutions. The Court's Program Director oversaw this program. The program itself is diversion in nature. The youth is diverted from the court system and placed in the program. A treatment/case plan is prepared and implemented. A team approach is utilized to assist the youth.

In 2018 eleven (11) youth were diverted from Court and served in the Alternative Solutions Diversion Program.

## **PROGRAMS**

### **Community Work Service**

The Community Work Service Program through the Ashland County Juvenile Court is designed to help juveniles make positive contributions to their community, as well as hold them accountable for their actions. Juveniles become involved in the program by Order of the Court or by referral from their Probation Officers. Either way, the total number of hours assigned to the juvenile must be completed within ninety days.

The Community Work Service Program operates several programming options under the supervision of the Community Work Service Director for completion of hours:

- KnitWhits:** This program enables juveniles to earn community service hours by knitting hats for charity. The program teaches juveniles a new skill, provides a sense of accomplishment and is a calming, therapeutic activity. A ratio of 1:4 is maintained during sessions.
- Adopt-a-Highway:** This program allows juveniles to earn community service hours by cleaning up litter along a two mile stretch of State Route 58 in Ashland. The program is conducted at least four times a year and saves taxpayer dollars. The program instills responsibility towards the community as well as accountability. Our Adopt-a-Highway program has earned Gold Star status through the Ohio Department of Transportation. A ratio of either 1:4 or 2:8 is maintained during sessions.
- Fostering a Smile:** The Fostering a Smile Program was initiated in 2004 and benefits Ashland County foster children. Since its inception, juveniles have earned community service hours by donating care bag items, helping with

fundraising events, decorating care bags, collecting luggage and more. The program teaches juveniles leadership skills and instills pride through their contributions. A ratio of either 1:4 or 2:8 is maintained during sessions.

Juveniles also have the opportunity to work with a number of community organizations to complete their work service obligations. All work sites must be a non-profit organization with the exception of nursing homes. Upon completion of all service hours, regardless of where it is performed, juveniles must write a reflection paragraph stating where they performed their community work service, what they did for their community work service and what they learned from the experience. After their reflection and service log are completed and turned in to the Program Director, a certificate is given to the juvenile as well as the Court and the Probation Officer.

**A total of 3,967.75 hours of community work service were performed at 50 work sites by 90 juveniles in 2018. The average number of hours completed by each juvenile was 40 hours.**

2017	-	4,012.25 hours at 41 work sites
2016	-	4,855.25 hours at 70 work sites
2015	-	4,597.25 hours at 48 work sites
2014	-	3,398.25 hours at 57 work sites
2013	-	2,541.50 hours at 51 work sites
2012	-	3,052.75 hours at 62 work sites
2011	-	2,686.50 hours at 67 work sites

### **Probation Supervision**

Ashland County Juvenile Probation Officers are responsible for monitoring juveniles in the community who are placed on probation. Probation Officers visit homes, schools, attend court hearings and meetings with other involved community organizations. They conduct assessments and develop individual case plans, referring juveniles and their families to appropriate services. The goal of probation supervision is to rehabilitate youth while protecting the community. The Court's Probation Department covers all schools in Ashland County and several schools out of the county where Ashland County juveniles attend. The number of youth on probation generally averages between 70 and 90, both male and female, and ranging from age 12 to age 18. Probationary terms are indefinite in length and a juvenile earns his or her way off probation by completing Court Orders and modifying inappropriate behaviors.

**In 2018, Probation Supervision served a total of 163 juveniles.**

2017	-	158 juveniles served
2016	-	166 juveniles served

## **Alternative Solutions Diversion Program**

The Alternative Solutions Diversion Program provides an alternative to formal adjudication for lower risk youth and reduces delinquent behavior. Complaints are reviewed by Juvenile Court personnel for inclusion into the program. Eligible participants include first time misdemeanor, status and unruly youth. On occasion, the Judge and/or Magistrate refer youth to the program during initial hearing. The Alternative Solutions Diversion Officer schedules an intake appointment upon receiving the referral from the Court and conducts an assessment to determine risk level and acceptance into the program. A brief action plan is then developed by the Alternative Solutions Diversion Officer with input from the youth and family. Upon successful completion, the Alternative Solutions Diversion Officer will file a request for dismissal with the court. If significant progress is not made on the action plan, the Alternative Solutions Diversion Officer may refer the case back to the court for formal hearing.

## **Pathfinder Farms**

Initiated in the fall of 2015, Pathfinder Farms is an outdoor program for boys 12-17 referred by Probation Supervision. The program meets every Tuesday for four hours during the school year. Situated on over eighty acres, Pathfinder Farms offers opportunities for the boys to participate in activities such as archery, hiking, fishing, tree and wildlife identification, geocaching, swimming, cooking over a campfire and more. The boys also learn to build picnic tables, lanterns, picture frames and other projects in the woodshop. The program is run by a group of adults including teachers, builders and outdoor enthusiasts as well as the Ashland County Juvenile Court's Program Director. The end of the year culminates in a weekend camping trip that includes equine activities and other outdoor activities. Throughout the program the boys are given leadership opportunities and work on developing strong teamwork, responsibility, coping skills, confidence, respect and good decision making.

**A total of 8 boys participated in Pathfinder Farms in 2018.**

## **Walk & Talk**

Walk & Talk is an 8 week program for girls between the ages of 13-18 addressing the following areas: goal setting, self-esteem, anxiety and stress, peer relationships, school issues and truancy, drugs and alcohol, family issues. Led by Diversion and Probation staff, the girls begin each session off with an icebreaker or team building activity before walking the trails and engaging in the topic.

**A total of 4 girls participated in Walk & Talk in 2018.**



## **Secure Detention**

Secure Detention is an out-of-home placement for a juvenile. The Ashland County Juvenile Court attempts to minimize out-of-home placements, but rather utilizes local resources to maintain a young person in the community and at the same time address identified issues. However, there are times when out-of-home placements become appropriate or necessary.

The Ashland County Juvenile Court no longer operates its own juvenile detention center. The Court primarily uses Erie County Juvenile Detention Center located in Sandusky, Ohio and to a lesser extent Richland County Juvenile Attention Center in Mansfield, Ohio and the Northwest Ohio Juvenile Detention, Training and Rehabilitation Center in Stryker, Ohio. The Court contracts with these detention centers on a per diem basis. The Court monitors the youth in detention. The youth placed in detention continue to be well-served. The cost savings to the county continues to be at least \$250,000.00 per year.

## **Residential Placement**

Residential placements are non-secure facilities specializing in specific programs. In 2018 four youth (2 males, 2 females) were placed in such a facility, including Abraxas, Safehouse Residential Services, Foundations for Living and Mohican Youth Academy. These placements were funded by grant money received by the Ashland County Juvenile Court as per need.

## **GRANTS**

The Ashland County Juvenile Court receives several grants that assist the Court in covering the costs of services to youth. The Court, through the Court Administrator, applies for and has received these grants. The grants are provided by the Ohio Department of Youth Services. The purpose of the grants is to reduce the number of youth committed to the Ohio Department of Youth Services by providing funding for programs designed to stop delinquent behavior in juveniles and to maintain the juveniles in the community while addressing their specific needs. In 2018 the Court used grant money to pay for probation services, community work service and related programs, out-of-home placements; all at a cost savings to Ashland County. The grants and amounts received for Fiscal Year 2018 are:

1. RECLAIM (Reasonable and Equitable Community and Local Alternatives to Incarceration of Minors)

Amount - \$217,804.25

2. Youth Services Grant (also referred to as the "510" grant)

Amount - \$85,590.00