

# Ohio's Family & Youth Guide

## THE FAMILY GUIDE TO THE JUVENILE JUSTICE SYSTEM IN OHIO



**VOICES** FOR  
OHIO'S CHILDREN

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# Ohio's Family & Youth Guide

## The Family Guide to the Juvenile Justice System in Ohio

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# Family Guide to Ohio's Juvenile Justice System

## INTRODUCTION

Families of children in Ohio's Juvenile Justice System need information to help navigate the system and try to assure the best outcomes possible. Because you know your children better than anyone, you are in the best position to advocate for your child in the system. This handbook will give you more tools to do that – it will help you understand the system and how to get answers.

There are people that you can go to for assistance. In the Juvenile Court, defense lawyers will help protect your child's rights and recommend services. Some courts employ an advocate to respond to concerns. Some counties have an ombudsman office to handle complaints. In the Ohio Department of Youth Services there is an ombudsman or legal advocate who goes to each correctional facility to handle complaints by the residents. Also, Ohio Public Defender lawyers see residents during admission to handle appeals of the original juvenile court ruling.

A "model juvenile justice system" has a "consistent set of goals, characteristics, practices, and specific outcomes that follow from certain broadly accepted core values relating to youth." According to national experts and research, such a system is committed to the following key principles: (1) Fundamental fairness; (2) Individual, community and system accountability; and (3) Recognition of young people's individuality and potential.<sup>1</sup> Families are an important part of making that model work.

The information in this handbook came from *A Parents' Guide to the Ohio Juvenile Justice System*, published by The Children's Law Center in 2006, and the *Ohio Department of Youth Services Youth Handbook, Male Reception, Scioto Juvenile Correctional Facility*, March 2008, Information packet sent to parents from the Reception Center, Scioto Juvenile Correctional Facility. The handbook also addresses issues identified when Voices for Ohio's Children conducted six regional focus groups and phone interviews with families in June 2007.

A special thanks to those people who assisted with this handbook by providing ideas and input: Amy Swanson, Yvonne C. Hunnicutt, and Lindsay Wishart from Voices for Ohio's Children; Voices for Ohio's Children Juvenile Justice Initiative Family Involvement work group; Sharon Weitzenhof from Juvenile Justice Coalition and member of the JJI Steering Committee, Linda Modry, Gwendolyn Randle, Amy Hollingsworth and Sara Vollmer from the Ohio Department of Youth Services; Amy Borrer, Ohio Public Defender Office; and Kim Brooks Tandy, Children's Law Center, Inc.

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Voices for Ohio's Children is the non-partisan voice of Ohio's nearly 3 million children. With more than 100 collaborative partners, we impact the changes in public policy that improve the health, safety, education, family stability and childcare of Ohio's children and their families.

<sup>1</sup> Voices for Ohio's Children, *Framework for Transforming the Juvenile Justice System*, 2008, p. 1.

# OHIO'S JUVENILE JUSTICE SYSTEM

## ENTRY TO THE JUVENILE JUSTICE SYSTEM

**Y**our child can become involved in the juvenile justice system by committing a delinquent or unruly act. A delinquency is an act that if committed by an adult would be a crime (either a felony or misdemeanor). A status or unruly offense is illegal when done by a juvenile, but not a crime for an adult (for example truancy or running away). If your child is charged with a delinquency or unruly offense, he/she can be detained by juvenile court in a secure facility. Your child may enter the juvenile court system by the police arresting him/her and filing a complaint with the court. Other people may also file a complaint at juvenile court against your child if they believe your child has committed a delinquent or unruly offense. For example, schools can file truancy charges and family members can file unruly charges such as runaway.

The components of the law enforcement and juvenile court process are described below:

- Police contact/arrest
- Complaint filed at Juvenile Court
- Juvenile Court intake
- Detention
- Arraignment
- Pretrial
- Adjudicatory hearing
- Dispositional hearing
- Probation

### Police Contact<sup>2</sup>

Police can stop your child in public to investigate criminal or delinquent activity as long as the officers have a specific and articulated reason, in combination with surrounding facts, to justify a reasonable suspicion to make the stop.

If the police believe your child may be a danger to themselves or others they can perform a frisk – a limited search on the outside of clothing – for weapons.

Only if they feel something suspicious and weapon-like during the frisk can they continue to search your child's person.

If the police ask for your consent to search, always say no unless you consult with an attorney first.

If taken into custody for a delinquent act, your child may be fingerprinted and photographed.

During a police interrogation your child should say nothing and ask to speak with a lawyer immediately – even if they deny being involved in the alleged crime. Once they request a lawyer, the police must stop asking them questions.

You may be present if your child is being questioned by police.

### Police Process

When the police arrest your child, they can release him/her to you or hold him for processing. In many Ohio jurisdictions, police can refer children involved in lower level offenses to community based programs (such as youth court or other diversion programs) rather than filing official charges against them.

<sup>2</sup> A Parents' Guide to the Ohio Juvenile Justice System, The Children's Law Center, 2006, page 14

# OHIO'S JUVENILE JUSTICE SYSTEM

## JUVENILE COURT PROCESS

### Juvenile Court Intake

The first step in juvenile court proceedings is intake. The intake officer decides whether the charge should be handled through official court action or diverted to a community program. If your child is diverted, there is no official court record. Intake may occur at a juvenile court office or at a detention facility if the police bring your child there. After the complaint is filed, the court must issue a summons to the child and custodian to appear in court to answer the allegations of the complaint.

### Detention and Detention Alternatives<sup>3</sup>

Once taken into custody, a youth is usually held at a county or multi-county run juvenile detention facility while the initial investigation, fingerprinting, etc. take place. Before being taken to a youth detention facility, a child may be held in a facility where adults are also held for up to 6 hours depending on the reason for their being in custody. The youths must be separated from the adults by both sight and sound. This happens very rarely, and probably will not be an issue for your child.

In Ohio, juveniles have no right to be released on bail before a detention hearing. Instead, the court will look at certain factors and make the determination on whether the youth should be released. At a detention hearing, a judge or magistrate will consider whether to release or detain your child.

Factors that could lead a judge to order your child to be detained include:

- He/she needs to be protected from immediate or threatened physical or emotional harm;
- He/she is a danger or threat to other persons and is charged with a violation that would be a crime if committed by an adult;
- He/she is considered a danger or threat to property;
- He/she may leave the jurisdiction of the court; and
- He/she has no parents, guardian, or other person able to provide supervision and return the child to the court when required.

### Alternatives to Detention

There may be programs or services that your child can participate in instead of being in the juvenile detention center. It is important for your child's attorney to look into the local placement options, and advocate that your child be placed in one of these alternative programs rather than a secure detention facility until their adjudication hearing. Some of these alternatives include:

- Shelter Care
- Home/Community Detention
- Electronic Monitoring
- Day and Evening Reporting Centers

<sup>3</sup> A Parents' Guide to the Ohio Juvenile Justice System, p. 15-16

# OHIO'S JUVENILE JUSTICE SYSTEM

## JUVENILE COURT PROCESS

### Arraignment<sup>4</sup>

If your child is placed in detention, the arraignment hearing will occur at the same time as the detention hearing. If your child is not in detention, the arraignment hearing will occur at Juvenile Court. At the arraignment hearing your child is presented with the official complaint and is allowed to make a plea. The court will also advise the child of his or her rights in all proceedings in juvenile court on the charges. Those rights include the right to remain silent, the right to be represented by a lawyer and to have a lawyer appointed at no cost if the child is indigent as defined by state public defender guidelines, the right to have a trial on the charges in which the state must prove the child guilty by proof beyond a reasonable doubt, the right to challenge any evidence presented against the child, the right to confront and cross examine witnesses testifying against the child, the right to present evidence and the right to the compulsory attendance of witnesses. The child will also be required to enter a plea to the charges at this stage of the proceedings. Except in special circumstances the only pleas recognized in juvenile court are an admission and a denial. If your child admits to the charges, the next step will be the dispositional hearing.

### Pleas & Plea Bargains<sup>5</sup>

- A plea is your child's answer to the charge made against him/her.
- Your child can either admit or deny the charge.
- A plea takes place at the detention hearing or arraignment hearing.
- Denying the charge means the next hearing will be scheduled so your child's case can proceed through the court process. Depending on your court's local procedures, the next hearing will be either a pretrial hearing or an adjudication hearing (trial).

### Plea Bargain

- Agreement where the prosecutor, your child and your child's attorney arrange to settle the case against your child.
- Your child will agree to make an admission in exchange for some compromise such as reducing the original charge or charges, dismissing some of the charges, or agreeing to the disposition a court will likely impose on your child.
- Allows the parties to agree on the legal matter before it goes before the judge, but there is no guarantee the court will follow the plea agreement.

### Pretrial<sup>6</sup>

The pretrial phase of the procedure takes place before the adjudication hearing. Depending on your jurisdiction's procedure, your child's case may or may not have a pretrial meeting or hearing. The purpose of the pretrial is to give the parties a chance to discuss the case and alternative methods of resolution.

### Competency Evaluations

Your child's attorney may decide to request a competency evaluation if the attorney has concerns about your child's ability to assist them or to fully understand the court proceeding.

Usually the court will ask a mental health professional to assess whether your child is capable of consulting with and assisting their attorney and whether your child understands the charges and court proceedings.

The court hears evidence on your child's mental, emotional, social, and intellectual capacities and determines whether your child is able to assist his/her lawyer in his/her defense at trial and understand the court proceedings.

<sup>4</sup>Warren County Ohio Court of Common Pleas, *Anatomy of a Juvenile Court Case*

<sup>5</sup>A Parents' Guide to the Ohio Juvenile Justice System, p. 18

<sup>6</sup>A Parents' Guide to the Ohio Juvenile Justice System, p. 18



# OHIO'S JUVENILE JUSTICE SYSTEM

## JUVENILE COURT PROCESS

### Adjudicatory hearing <sup>7</sup>

The adjudicatory hearing is to juveniles what trials are to adults. The adjudicatory hearing must be held within 15 days after the filing of the complaint if your child is detained. If your child is not detained, the hearing must be held within 60 days after the complaint was filed. This deadline may be extended under special circumstances or if your child's attorney or the prosecutor moves for a continuance. At the adjudicatory hearing, your child will have the option of admitting that he/she committed the act that he/she has been charged with or contesting the charge by denying the charge.

The judge or magistrate will decide if the juvenile committed the act for which he/she is charged. If the judge determines that your child did commit the act, the judge will set a date for a dispositional hearing. Your child may or may not be held in a detention center for the time period in between the adjudicatory hearing and the dispositional hearing. The judge will look at things like the seriousness of the offense committed, your child's record, and your child's living situation in determining where your child will stay while awaiting his dispositional hearing.

### Dispositional hearing <sup>8</sup>

The dispositional hearing is similar to sentencing for an adult. At the hearing, the judge will decide on your child's sentence. Between the adjudication and the dispositional hearings, a probation officer may complete a pre-sentence or dispositional investigation. During this investigation the probation officer will learn more about your child and write a disposition recommendation for the judge. The judge should provide a written court order within seven days stating what the judge or magistrate's decision is for your child.

#### *Possible dispositions for your child for misdemeanor or felony offenses include:*

- 90 days sentence to a detention facility;
- Reprimanding (The judge will speak to your child about their behavior);
- Unsupervised Probation;
- Supervised Probation, with a probation officer; terms, and conditions;
- Placement in a residential facility; and
- Placement in a community program;

#### *Possible Dispositions applying only for Felonies:*

- Ordering a child to serve time in a community correction facility (CCF); or
- Committing a child to the Ohio Department of Youth Services (DYS)

There are eight DYS facilities where judges may send youth found responsible for delinquent acts that would have been considered a felony if they had been an adult. Youth adjudicated with a felony offense are typically sent (committed) to DYS for a period of either six months to age twenty-one or twelve months to age twenty-one. However some offenses may call for higher minimums of one to three years. These sentences are indeterminate, meaning that your child may be held up to their twenty-first birthday.

### Probation <sup>9</sup>

If a judge determines that your child committed the act with which he/she is charged, the judge may decide to place your child on probation. This means that your child will be released back into the community or your home with certain conditions. The probation department should provide your child with written "terms" of what your child must do while on probation.

<sup>7</sup> A Parents' Guide to the Ohio Juvenile Justice System, p. 19

<sup>8</sup> A Parents' Guide to the Ohio Juvenile Justice System, p. 20

<sup>9</sup> A Parents' Guide to the Ohio Juvenile Justice System, p. 21

# OHIO'S JUVENILE JUSTICE SYSTEM

## JUVENILE COURT PROCESS

### **Bindover and Transfer to Adult Court**<sup>10</sup>

In Ohio, your child can be transferred to the jurisdiction of the adult criminal court system in two ways. The minimum age for transfer is 14.

#### *Discretionary transfer*

One way is by a decision from the Juvenile Court Judge, based on factors including the seriousness of the offense, the prior record of your child, the safety of the community, and your child's amenability to rehabilitation. Prior to transferring a youth, the court has to go through several hearings and procedures.

#### *Mandatory transfer*

Ohio law has established conditions under which transfer to criminal court is mandatory. A hearing is held at Juvenile Court to determine 1) whether the child was at least 14 years of age at the time of the offense, 2) the existence of probable cause, and 3) the applicability of the conditions described below:

- Prior transfer or conviction of a felony in criminal court;
- The child is from another state in which the offense would have been tried in criminal court; or
- A combination of specific serious offenses (called Category 1 and Category 2 offenses), minimum age of 16 when the offense was committed, prior record of serious offenses, and use of a firearm (with Category 2 offenses).

<sup>10</sup> Ohio Revised Code, section 2152.10



# OHIO'S JUVENILE JUSTICE SYSTEM

## JUVENILE COURT PROCESS

### Serious Youthful Offender<sup>11</sup>

Under Ohio law, when a child commits certain serious offenses, he/she is eligible for a trial as a Serious Youthful Offender. The following factors are considered by the court in determining this:

- Act of violence;
- Use of firearm;
- Prior commitment to ODYS for a serious offense; and
- For certain very serious offenses, this category is considered mandatory if the child was at least 14 at the time of the offense, and discretionary if the child was between 10 and 14.

The Juvenile Court process for a Serious Youthful Offender allows the child the same due process rights as if the trial were in the criminal court, including a jury trial. A child sentenced as a serious youthful offender will receive a traditional juvenile sentence to DYS, along with an adult sentence. The adult sentence is suspended upon successful completion of the juvenile sentence.

### Enhanced sentences<sup>12</sup>

For certain serious offenses and for using a firearm, a child is eligible for more restrictive dispositions, such as an additional sentence of 1 – 3 years added on to the minimum sentence. For example, if your child is adjudicated for a violent felony level 3 offense while participating in a criminal gang, the judge must specify a sentence of at least one year and no more than three years, in addition to the sentence for the actual offense. In that case, the participation in a criminal gang is considered the enhancement.

### Juvenile Sex Offenders<sup>13</sup>

Juveniles who are adjudicated delinquent (with the exception of Serious Youthful Offenders) for a sex offense are subject to the Juvenile Sex Offender Registry and Notification (JSORN), depending on their age, specific offense, and sex offense history. Your child will be categorized as Tier I, Tier II or Tier III, depending on the offense for which he/she was adjudicated. Your child may have to register with law enforcement once he is released from an institution. After a hearing, your child's judge may reduce his classification or de-classify, based on your child's progress.

Juveniles who are adjudicated as a Serious Youthful Offender; or transferred to the Adult Criminal Court, for a sex offense, are subject to mandatory public registration. This means that your child will have to register periodically for a specified period of time depending on the Tier; and his/her information will be posted on a public website. Juvenile Courts have discretion to classify 14 and 15-year old first time offenders. Your child can petition for reclassification or declassification.

<sup>11</sup> *Ohio Revised Code*, section 2152.11

<sup>12</sup> *Ohio Revised Code*, section 2152.11

<sup>13</sup> Ohio Public Defender Office, 2008

## JUVENILE CORRECTIONAL FACILITIES

When your child is committed to the Ohio Department of Youth Services, he/she will go to the reception center at the Scioto Juvenile Correctional Facility (SJCF) and then to one of seven juvenile correctional facilities. The reception center at Scioto Juvenile Correctional Facility is for both boys and girls, although they are in separate buildings. While at the reception center, your child will complete a series of assessments and go through an orientation period. After that, boys are placed in the general population at SJCF awaiting transfer to their home institution. Girls remain at SJCF but may be transferred to the Freedom Center for drug and alcohol services.

You should communicate with your child while at DYS to maintain your family ties and to keep informed of your child's progress. You can write and visit your child. You should contact the Superintendent of your child's facility or your child's social worker if you have questions or concerns.

# OHIO'S DEPARTMENT OF YOUTH SERVICES

## JUVENILE CORRECTIONAL FACILITIES

### Arriving at DYS: What you and your child should know<sup>14</sup>

#### What personal belongings can your child have?

When the youth arrive from the county they are not allowed to bring anything.

Youth may not have clothing given to them by their parents or guardian, only clothing issued by the facility may be worn. Hygiene items can only be ordered off of the commissary list.

#### What personal items will be provided by the facility?

When the youth arrive at intake they are issued the following:

- 1 jumpsuit
- 1 pair of socks
- 1 pair of underwear
- 1 pair of shower shoes
- 1 pair of regular shoes

- When the youth are transferred to the intake housing unit and subsequently transferred to other units they receive a hygiene kit with the following items included:

- Soap
- Toothpaste
- Toothbrush
- Deodorant
- 1 plastic comb/brush

- They are also issued the following bedding and clothing on the units:

- 1 blanket
- 2 sheets
- 1 pillowcase
- 1 bath towel
- 1 wash cloth
- 1 laundry bag
- 5 tee shirts
- 2 sweatshirts
- 2 pair of gym shorts
- 4 pair of pants
- 12 pair of socks
- 12 pair of underwear

- In addition, the following seasonal items are also issued on the units:

#### Winter

- 1 ski hat
- 1 pair of gloves
- 1 winter coat

#### Spring

- 1 spring jacket
- 1 rain coat is also issued (as needed) during inclement weather

#### What communications should I expect to receive from DYS?

- Scioto Juvenile Correctional Facility will send you a packet of information, including medical & other permission forms that you must sign and return.
- When your child is transferred to another facility, you will receive a letter
- When your child has a medical emergency, the facility will contact you.<sup>15</sup>

<sup>14</sup> Source: Ohio Department of Youth Services

<sup>15</sup> ODYS policy number 403.07

# OHIO'S DEPARTMENT OF YOUTH SERVICES

## JUVENILE CORRECTIONAL FACILITIES

### Visitation

Visitation at the reception center is by appointment only. Only parents and legal guardians can visit.

Visitation at the facilities is at different times, specified by each facility. Each facility has its own visitation policy, which you will receive when your child arrives there. See Appendix B.

### Communication – mail & phone calls

Your child is permitted to send two free letters per week. You may send him/her additional embossed stamped envelopes to use.

Your child is permitted to place at least two collect calls per week. Global Tel\* Link (GTL) is the phone company handling pay phone services from DYS institutions (see Appendix C for policy).

### Medical

Each DYS facility has a doctor who visits regularly and is on-call. Nurses are on duty daily. There is also dental care, eye care, psychological and psychiatric services.

Your child will receive prescription medication, if needed. Juveniles entering DYS are assessed by medical personnel and the physicians make a determination if that medication should continue, be discontinued or be modified in some manner.

In case of a medical emergency, your child will be taken to a hospital.

### Other Services

Social work. Your child will be assigned a social worker who will work with him/her and with you to provide appropriate services.

Victim awareness. Each facility offers victim awareness programming.

Special needs. DYS offers substance abuse, sex offender, and mental health services. Some of the facilities are specialized in these services.

### Education

There is an accredited school in each ODYS facility.

Each facility has an accredited special education program. Your child should have an Individualized Educational Plan (IEP). You should be involved in your child's IEP conference.

The schools offer vocational classes.

DYS schools can prepare your child for the Graduate Equivalency Diploma (GED).

Once your child graduates from high school or passes the GED while he/she is still in the facility, he/she will be offered alternative programming such as employment within the facility. College level courses are usually not available.

# OHIO'S DEPARTMENT OF YOUTH SERVICES

## JUVENILE CORRECTIONAL FACILITIES

### Children with Unique Needs<sup>16</sup>

**Children with Disabilities:** If your child has an IEP, be sure the facility has a copy and that the special education related services are being provided by the facility. Be sure the facility knows of all medications, medical equipment, therapy, and counseling that your child needs. Also, make sure that the facility makes all necessary accommodations so your child can fully participate in programming and recreation at the facility. DYS makes all reasonable accommodations. There may be circumstances where a necessary accommodation cannot be made because it is a correctional setting.

**English as a second language:** If you or your child is not English-proficient, it is important that you have a professional translator aid with you during your interaction with the juvenile justice system. An interpreter will be able to tell you what is going on during conversations in court, with attorneys, and in any other discussions regarding your child's involvement with the system. A translator will explain to you what various documents say in the language you best understand. Family and friends should not be asked to be translators or interpreters because they may not maintain confidentiality and they may not be familiar with legal words.

**Lesbian, Gay, Transgender and Bisexual Youth:** If your child is lesbian, gay, bisexual, or transgendered, he/she may face difficulties regarding his/her sexuality in detention/ corrections. These youth may feel uncomfortable or out of place in the housing or detention unit in which they are placed. Your child may be more susceptible to harassment due to their sexuality. It is important that you closely monitor your child and encourage them to tell you if they are being treated unfairly. There are resources and programs that exist for youth with different sexual preferences.

### Constitutional rights of youth in detention or correctional facilities<sup>17</sup>

#### *Conditions of Confinement*

Courts have outlined conditions that are and are not acceptable for incarcerated youth.

**Medical Needs:** Your child has a right to adequate mental, physical, and dental health care. If your child is incarcerated, be sure the facility knows about any medications prescribed for your child's physical or mental health and check that your child receives these prescriptions while incarcerated. The detention center or correctional facility should also treat any mental health needs your child has with the prescribed therapy or counseling, not just medication.

**Safe and Sanitary Living Environment:** Your child's right to a safe and sanitary living environment includes proper ventilation, access to bathrooms, clean clothes and bed linens and the right to live in an uncrowded space. Each facility is permitted to house a certain number of youth. If the facility exceeds that number, your child will not have proper access to personal space, bathrooms, etc., and his/her constitutional rights may have been violated. Also, your child has the right to access basic supplies such as bedding, deodorant, socks, shoes, underwear and seasonally appropriate clothing; adequate laundry practices; adequate and sanitary food services; heating and cooling in the facility.

**Seclusion:** Many facilities have seclusion rooms which prevent children from interacting with others. If your child cannot gain control of herself, he/she may be placed in seclusion. Seclusion should last the shortest interval of time necessary for the child to regain control of him/herself. Some courts have held that if a child is in seclusion for more than 24 hours, administrator approval is needed every eight hours. Your child may be placed in seclusion for disciplinary reasons after due process has been provided. A child in seclusion is entitled to receive the minimal requirements for hygiene, medical care, exercise, nutrition, and communication correspondence as if not in seclusion.

**Force or Violence:** Your child has the right to be free of force used as punishment. Officials may use force to maintain discipline if your child is a danger to him/herself or others.

<sup>16</sup> A Parents' Guide to the Ohio Juvenile Justice System, p. 24

<sup>17</sup> A Parents' Guide to the Ohio Juvenile Justice System, p. 26

# OHIO'S DEPARTMENT OF YOUTH SERVICES

## JUVENILE CORRECTIONAL FACILITIES

### How to get help if your child has problems while incarcerated<sup>18</sup>

There are several ways for you or your child to get help if they are having problems while in a Department of Youth Services Facility. The Ohio Department of Youth Services contracts with private attorneys to provide juveniles access to the courts if they feel their constitutional rights are being violated in a DYS facility. The attorneys provide legal advice to juveniles and assist them with filing the appropriate documents in court or finding an attorney to represent them in court. Forms for juveniles to sign up to speak with legal assistance program attorneys are available on all living units. Attorneys from the legal assistance program visit each facility every 4-6 weeks to meet with youth who have requested to speak with them. The legal assistance program attorneys are also available by telephone in cases of emergency.

#### **Grievance Forms**

The Ohio Department of Youth Services provides grievance forms for juveniles who are incarcerated in their facilities to use if they have a problem or a concern while in the correctional facility. Examples of concerns that youth may choose to file a grievance about include: concerns about health care in the facility, problems with correction officers, concerns about their living conditions, concerns about not being provided adequate recreation, concerns about the education program. You should encourage your child to use the grievance forms to make their problem or concern known to ODYS staff members. The grievance coordinator will return the grievance form to your child with a written decision regarding how the facility plans to fix your child's problem. If your child does not agree with the statement they should follow the instructions on the grievance form to have the decision reviewed by the superintendent or regional administrator. To do this your child should mark the box on the form indicating they do not agree with the decision and wish to have the decision reviewed. There are locked boxes on each living unit of DYS for your child to place their grievance forms. If your child does not agree with the superintendent's or regional administrator's decision, the last step in the process is for your child to appeal the grievance to the Department of Youth Services, Office of the Chief Inspector. All of the above steps are detailed on the grievance form and your child should have received information on the grievance process during orientation. It is important for your child to go all the way through the grievance process including the appeal to the Chief Inspector; if he/she is not satisfied with the response received in previous steps. If the Chief Inspector's response does not help your child, you can seek the advice of an attorney. You can also write directly to the Chief Inspector at DYS Chief Inspector, 51 North High Street, Columbus, OH 43215. Keep a copy of any letter you write to the Chief Inspector. Be sure to include your phone number, address and child's name and facility in the letter.

#### **Ohio Correctional Institutional Inspection Committee**

Write or call the Ohio Correctional Institutional Inspection Committee at: Riffe Center, 8<sup>th</sup> Floor, 77 South High Street, Columbus, Ohio 43215. Telephone: (614) 466-6649. The Committee has oversight to DYS facilities and any report of abuses or concerns regarding your child's stay at a DYS facility may be reported to the committee.

#### **Report the Problem to the Facility Superintendent**

Call or write the Superintendent of the facility where your child is staying. For a list of facilities and their superintendents please see Appendix B. Keep a copy of any letters you write.

#### **Children's Services**

Report any suspected abuse or neglect of your child in the facility to the Children's Services agency in the county where the facility is located.

*Continued on page 15*

<sup>18</sup> A Parents' Guide to the Ohio Juvenile Justice System, p. 27, as well as updated information from the Ohio Department of Youth Services

# OHIO'S DEPARTMENT OF YOUTH SERVICES

## JUVENILE CORRECTIONAL FACILITIES

### How to get help if your child has problems while incarcerated<sup>18</sup>

*Continued from page 14*

#### *Ohio State Highway Patrol*

The State Highway Patrol is responsible for investigating any allegations of child abuse or other criminal acts against juveniles who are incarcerated in Ohio Department of Youth Services facilities. Call the State Highway Patrol to report any serious concerns about your child in an ODYS facility.

#### *U.S. Department Of Justice*

The U.S. Department of Justice Special Litigation Section Civil Rights Division investigates serious systemic violations of incarcerated juvenile's constitutional rights. You may contact them at: 950 Pennsylvania Ave., NW, Special Litigation Section, PHB, Washington, D.C. 20530, Telephone: (202) 514-6255. Please note the Department may not be able to help in individual cases, but if a facility wide problem exists, they may begin an investigation.

#### *Monitoring conditions of confinement*

The Ohio Department of Youth Services has been involved in a lawsuit regarding conditions of confinement within DYS facilities. As part of the settlement of that lawsuit, a nationally-recognized monitor has been appointed to oversee and assist the department in achieving compliance with the terms of the settlement. This oversight will continue until the monitor and court are satisfied that the department has complied with the terms of the settlement.

<sup>18</sup> A Parents' Guide to the Ohio Juvenile Justice System, p. 27, as well as updated information from the Ohio Department of Youth Services



## JUVENILE CORRECTIONAL FACILITIES

### Release

As stated above in the section on Dispositional Hearing, your child will have a minimum sentence up to age 21, with possible sentencing enhancements (such a gun specification). The DYS Release Authority will determine your child's actual release date, using the following process<sup>19</sup> (note: the Release Authority process is currently being revised):

- Following the completion of the reception assessment process, the board reviews the court paperwork and recommendations, the youth's criminal history, and the DYS reception assessments and evaluations.
- The board sets behavioral and treatment expectations and establishes presumptive release (PRD) and discharge dates (PDD).
- Sixty (60) days prior to a youth's PRD the release review process begins.

The Hearing Officer assigned to the case reviews and summarizes all available information from the institutional, regional, and victim reports.

- The board then evaluates the youth's progress and makes a release decision.
- The youth, their family, the courts and the registered victims are notified of the release decision.
- Forty-five (45) days prior to a youth's discharge from community supervision the board reviews their progress in the community and either discharges them from supervision or continues them on parole.

<sup>19</sup> Ohio Department of Youth Services Release Authority Summary, April 2008

## PAROLE

**Y**our child may be placed on parole once he/she is released from a DYS facility. Your child will be released back into the community or your home, but with certain conditions. Your child should be given a written list of what he/she must do while on parole. Your child will be assigned a parole officer, who will be responsible for supervising him/her. The parole officer will also be in contact with you to make sure that your child is doing things required of him/her under his/her parole agreement. Before your child is released on parole, his/her needs should be discussed with you. You should make sure all of your child's needs are met and also confirm that the plan is appropriate for your child, so he/she can complete all the terms and be released from parole. If there are terms that you know your child will not be able to meet, such as meeting with their parole officer at a certain time, then tell the parole officer so these terms can be adjusted accordingly. It is very important that you remain involved and help your child meet the conditions of his/her parole. If the court revokes your child's parole he/she could return to the DYS facility – even if he/she is over the age of 18. Juveniles who get jobs, attend school regularly, and become involved in school or community activities and programs are much less likely to return to detention or DYS and much more likely to become successful adults. If your child does have a parole revocation hearing, be sure an attorney represents him/her in court.<sup>20</sup>

DYS Parole can offer your child services and community-based programming.

<sup>20</sup> A Parents' Guide to the Ohio Juvenile Justice System, p. 31

# APPENDIX A

## GLOSSARY/DEFINITIONS

**Adjudication or Adjudicatory hearing:** A legal process/trial in juvenile court. The state must prove to the judge or magistrate beyond a reasonable doubt that the child committed the act in question.

**Adjudicated:** Term used if youth is found delinquent.

**Admission:** When a youth tells the court that they did the act in question. Similar to a guilty plea in adult court. It could also be a statement made by your child police or any other person saying they did the delinquent act.

**Appeal:** To take a case to a higher court to review the opinion of the juvenile court.

**Arraignment:** The stage of the case before the pre-trial takes place. At the arraignment hearing your child is presented with the official complaint and is allowed to make a plea.

**Attorney:** Represents a person in a legal action. The attorney's job is to do what the client requests within ethical and professional guidelines. The state also has an attorney (prosecutor) representing their interests in the case. An attorney is the same as a lawyer.

**Assessment:** A professional evaluation of a child's educational or mental health needs. Used to determine what services are needed for successful rehabilitation or educational success.

**Bindover hearing:** A hearing where the court determines whether your child's case should go forward in juvenile court or be transferred to adult court.

**Case law:** Law followed by the courts that has been established over time through prior court rulings.

**CCFs:** Local community corrections facilities.

**Clerk of Courts:** Department of the court that handles court records, scheduling court hearings, and mailing court documents. Often also appoints attorney for the people who cannot afford an attorney. You often pay fines at the clerk's office. Court documents are "filed" with the clerk. The documents will get a date and time stamp by the clerk so everyone can tell when they were filed.

**Commitment to DYS:** A sentence which sends your child to the Department of Youth Services for a minimum period of time and possibly up to the age of 21.

**Competency:** The intellectual abilities of a child to understand the legal proceedings taking place and to be able to assist his attorney in his defense. A child who cannot understand what is taking place and cannot assist the attorney may be deemed "incompetent."

**Complaint:** A document filed in the court by law enforcement officials that states the facts and charges that your child must answer to in court.

**Confession:** When a child tells the police that he did the act in question.

**Confidential:** Information kept secret and private. Communications between a client and their attorney are confidential and the lawyer can't share them with anyone else (including parents) unless the youth agrees to it.

**Continuance:** An order by a judge or magistrate to postpone a court date to a future date.

**Cross-examination:** When a lawyer asks questions of the other side's witness in a trial.

**Counsel:** Another name for a lawyer or an attorney.

**Court Appointed Counsel:** An attorney appointed by the court to represent your child at their request. This attorney can be either a public defender or a private attorney.

**Custody:** A minor is in the custody of the person who has the legal right to control what you do and must make sure basic needs are met. Parents or guardians usually have custody of a minor; however if your child is sent to DYS, DYS will have custody of your child until release.

**Defense Attorney:** The attorney/lawyer representing the accused. A defense attorney can be a private attorney paid by the child or the child's parents or a public defender or private attorney paid for by the state.

**Delinquent:** A legal term for a juvenile who committed an act that if committed by an adult it would have been a crime.

**Detention:** A facility usually holding youth before they proceed to adjudication or disposition. Can also be used as a place to send youth for a short-term disposition.

**Detention hearing:** Hearing at which a judge decides whether to keep a child in custody prior to his adjudication hearing. This hearing must take place within 72 hours of the child being taken into custody.

**Disposition:** The equivalent of a "sentence" in the adult system. When a judge decides what should happen to a child who has been adjudicated delinquent.

**Disposition hearing:** A hearing where the judge decides what sentence to give the child. The child's attorney may present witnesses to help the judge make a decision about appropriate dispositions. Often, the probation department will do an investigation and make a recommendation about what they think the child's disposition should be.

**Due Process:** Rules and procedure specified by law that must be followed in a court proceeding. Due process protects a citizen's rights and helps to guarantee a fair trial.

**Early release:** When a child comes home from detention, a group home, or wherever they were sent during their disposition, before the end of their assigned time because a judge ordered their release sooner than in the original order.

**Evidence:** Information (photographs, testimony, documents, etc) used to make a point being argued by a lawyer.

**Expungement:** A court order for all references to a child's case, including court records of the case be destroyed.

**Felony:** A serious criminal offense.

**Frisk:** A pat-down on the top of clothing by a police officer for the purpose of feeling for weapons.

**Hearing:** A court proceeding which is usually scheduled in advance and all parties to the case are usually present. A record, either video or audio, is made of what people say in the court during the hearing.

Source: Warren County Ohio Court of Common Pleas, *Anatomy of a Juvenile Court Case, A Parents' Guide to the Ohio Juvenile Justice System*, The Children's Law Center, 2006

# APPENDIX A

## GLOSSARY/DEFINITIONS, *cont.*

**Indictment:** Filing of papers by the police formally asserting charges and evidence against a youth. Similar to an information or complaint.

**Indigent (Indigency):** A finding that you or your child meet the state's standards for being unable to afford an attorney and can have one appointed.

**Individual Education Plan (IEP):** A written plan for your child's education that is developed to meet your child's special education needs. The plan entitles your child to certain educational and related services.

**Interrogation:** Law enforcement officers asking questions about the event at issue.

**Judicial release:** The authority of the court to release a child from incarceration sooner than the minimum time period the court originally sentenced the child.

**Juvenile:** In Ohio, a person under 18 years old.

**Lawyer:** Represents a person in a legal action. The lawyer's job is to do what the client requests within ethical and professional guidelines. The state also has a lawyer (the prosecutor) representing their interests in the case. A lawyer is the same as an attorney.

**Magistrate:** An officer of the court who performs a function similar to that of a judge. If you do not agree with the magistrate's order, you can ask your child's attorney to file objections to the magistrate's decision so a judge review the order of a magistrate.

**Minor:** A person under 18 years old – the same as a juvenile.

**Misdemeanor:** A minor criminal offense that if committed by an adult would be punishable by up to six months in jail. Less serious than a felony.

**Modification:** To make changes to a sentence or disposition by making it less severe (possibly early release) or more severe (like placing a child in a detention facility instead of a group home).

**Motion:** A legal request by a lawyer asking a court to do something. Usually done in writing and filed with the clerk's office.

**ODYS or DYS:** Ohio Department of Youth Services.

**Ohio Revised Code (ORC):** The state law that governs Ohio. Contains state statutes. Works in conjunction with the Ohio Rules of Juvenile Court.

**Ohio Rules of Juvenile Court:** Sets rules for how the court and juvenile justice system should operate. Work in conjunction with the Ohio Revised Code.

**Parole:** Continuing supervision by DYS following release from a DYS facility.

**Parole Officer:** An employee of DYS who monitors your child and makes sure they follow the conditions of their release. Parole officers can help your child access programs or services after their release.

**Plea bargain:** An agreement between a child's lawyer and the prosecutor where the child says he admits to certain charges filed without the state having to prove the charges. The agreement usually also has a promise by the prosecutor to drop certain other charges.

**Pleading:** A legal document filed in court. For example, complaints and motions are types of pleadings.

**Post-disposition:** The stage of a case that takes place after a court makes the first order of disposition.

**Pre-trial:** The stage of the case before the adjudication hearing takes place. During the pretrial stages, the parties might decide to discuss the case, alternative methods of resolution, and file motions.

**Probable cause:** Good legal reason for believing a crime has been committed by the accused.

**Probation:** Continuing supervision by the court, either as a disposition, or following release from a detention facility or other facility.

**Probation Officer:** An employee of the juvenile court who monitors your child and makes sure they follow the conditions that the judge ordered.

**Prosecutor:** The government's lawyer who tries to prove a youth delinquent beyond a reasonable doubt.

**Public defender:** A defense lawyer who works in a public defender's office. The county and state pay the lawyer's salary so they can represent children who cannot afford an attorney.

**Reasonable doubt:** Doubt that would cause a person to hesitate before acting in matters of importance to themselves.

**Release Authority:** The department of DYS that makes decisions regarding a child's release.

**Sealed:** A sealed record is separated from the youth's main file and is made accessible only to the juvenile court. All other courts that have a copy of this record must destroy it.

**Serious Youthful Offender (SYO):** A juvenile qualifying as a "serious youthful offender" may be tried in juvenile court and at disposition is sentenced to both a traditional juvenile disposition and an adult sentence, with the adult sentence stayed pending successful completion of the juvenile sentence. If the juvenile sentence is not successfully completed, the adult sentence will be imposed.

**Sheltercare hearing:** Another term for a detention hearing.

**Status offense:** An offense that is illegal when done by a juvenile, but not a crime for an adult (for example truancy or running away).

**Subpoena:** Order of the court requiring a person to appear at a certain date and time. Also an order for someone to make records or documents available to the court.

**Superintendent:** The highest ranking official in a detention center or DYS facility.

**Testimony:** Words spoken by a witness, under oath, in court.

**Transfer:** When a child is moved from one detention facility to another. Also used when a youth is bound over from juvenile court to adult court.

**Warrant:** A court order to allow officers to search certain property or arrest a certain person.

**Witness:** A person who testifies in a court.

**Zealously:** Zealously representing someone means a lawyer working for his client enthusiastically and following all professional rules and standards of legal practice.

Source: Warren County Ohio Court of Common Pleas, *Anatomy of a Juvenile Court Case, A Parents' Guide to the Ohio Juvenile Justice System*, The Children's Law Center, 2006

# APPENDIX B

## ODYS Juvenile Correctional Facilities with Visitation Policies

Further information on the facilities, including directions and maps can be found at <http://www.dys.ohio.gov/Corrections.html>. Information below from ODYS website

### **Circleville Juvenile Correctional Facility**

640 Island Road, P.O. Box 598  
Circleville, Ohio 43113  
Phone: (740) 477-2500  
Fax: (740) 420-9816

Visitation hours: 9:00 AM to 11:00 AM and 1:00 PM to 3:00 PM  
Saturday and Sunday

### **Cuyahoga Hills Juvenile Correctional Facility**

4321 Green Road  
Highland Hills, Ohio 44128  
Phone: (216) 464-8200  
Fax: (216) 464-3540

Visitation hours: 8:00 AM to 11:00 AM and 1:00 PM to 4:00 PM  
Saturday and Sunday

Parents, legal guardians, and grandparents may visit the first weekend that the youth is at CHJCF. Siblings may visit the second weekend, unless contradicted by the youth's regional office. Alternative visits may be arranged if the youth is in a specialized program that has its own requirements for visits.

### **Freedom Center** (Girls only treatment facility)

8101 Dublin Road  
Delaware, Ohio 43015  
Phone: (740) 881-3337  
Fax: (740) 881-3389

Visitation hours: 12:30 PM to 3:30 PM  
Saturdays

During the Saturday visits parents are offered and encouraged to attend a family education session to learn various treatment component concepts and aftercare alternatives for ongoing recovery.

### **Indian River Juvenile Correctional Facility**

2775 Indian River Rd.  
Massillon, Ohio 44647  
Phone: (330) 837-4211  
Fax: (330) 837-4740

Visitation hours: 1:00 PM to 4:00 PM  
Saturday and Sunday

Only the youth's immediate family can visit. Family visitation is encouraged in order to maintain and strengthen family ties and to keep the family informed of the youth's progress.

Any visits outside of the visitation schedule above must be handled through IRJCF social workers. Approval of these visitations is at the discretion of IRJCF staff.

### **Marion Juvenile Correctional Facility**

322 Marion Williamsport Rd.  
Marion, Ohio 43302  
Phone: (740) 223-2400  
Fax: (740) 223-7534

Visitation hours: 9:00 AM to 12:00 PM and 1:00 PM to 4:00 PM  
Saturday and Sunday

### **Mohican Juvenile Correctional Facility**

1012 ODNR Mohican St  
Perrysville, Ohio 44864  
Phone: (419) 994-4127  
Fax: (419) 994-3441

Visitation hours: 9:00 AM to 11:30 AM and 12:30 PM to 3:00 PM  
Saturday and Sunday

Visits are scheduled by appointment.

### **Ohio River Valley Juvenile Correctional Facility**

4696 Gallia Pike, P.O. Box 1000  
Franklin Furnace, Ohio 45629  
(740) 354-7000 (fax: 740-354-9639)

Visitation hours: 8:30 AM to 11:30 AM and 1:00 PM to 4:00 PM  
Saturday and Sunday

Any requests for visits other than the regular scheduled family visits, must be handled through the youth's social worker. It will then be determined whether or not a special visit will be required.

### **Scioto Juvenile Correctional Facility**

5993 Home Road  
Delaware, Ohio 43015  
(740) 881-3550 (fax: 740-881-5994)

#### **Visitation – females**

Visitation hours for females are on Saturday's and Sunday's from 2:30 PM to 5:00 PM. Girls with last names A-J receive visits on the 1st and 3rd Saturdays and the 2nd and 4th Sundays. Girls with the last names from K-Z receive visits on the 1st and 3rd Sundays and the 2nd and 4th Saturdays. No visitation is allowed on Holidays or the fifth weekend of the month.

Visitation is encouraged to maintain and strengthen family ties. Only immediate family (father; mother; siblings, step-parents, guardian, grandparents and the youths own child) can visit, Aunts, uncles and other relatives may not visit until youth reach the appropriate level or with special permission from a Unit Administrator or Social Worker. If a family cannot visit on regular visiting day, special arrangements may be requested. No more than (3) three visitors at any one time. Visitors over 16 must have a picture I.D. and visitors under 16 must have a birth certificate or some picture I.D.

#### **Visitation – males**

Visitation for males is conducted during designated week days by reservation only. Reservations are made by contacting the Visitation Social Worker at (740) 881-3250 Ext. 217. Only parents or legal guardians are permitted to visit. Visitors must have a valid picture ID to attend visitation.

Contact the institution for an appointment.

### **Light House Youth Center – Paint Creek – private facility**

1071 Tong-Hollow Road  
Bainbridge, OH 45612  
Phone: (740) 634-3094

# APPENDIX C

## ODYSYOUTH POLICY CALL OUT PROGRAM

Welcome to the Youth Phone Call Out Program at DYS. As the parent/guardian of a youth at a DYS institution, please make a note of the following information and save it for future reference.

Global Tel\* Link (GTL) is the phone company handling pay phone services from DYS institutions.

When a youth enters the DYS system he/she is given a PIN account for the GTL system. Once this is completed, the youth is allowed to start making authorized telephone calls.

If the customer the youth is trying to reach is allowed to receive collect calls and the local phone provider has a billing agreement with GTL, the phone call will process with no action required by the customer. If the customer has a toll restriction, cannot receive collect calls from the local phone provider, or if the local phone provider does not have a billing agreement with GTL, the youth call is blocked.

NOTE: GTL captures all these call attempts that are blocked as non-billable and they begin to send automated phone calls to the phone number the youth attempted to contact, telling them that an attempt was made to their number and the automated message provides them with the customer service contact information to set up a direct billing or prepaid account.

Following are the 2 types of accounts under the GTL Ohio DYSYCOP system.

**Direct Remit Collect account:** this account allows the customer to receive youth collect calls. GTL sends a bill directly to the customer for their youth calls. The customer may be restricted to a set number of calls or balance limit per calendar month (this is based on their calling patterns and payment history and is set on a case by case basis). Customers receive a monthly invoice with a detailed outline of their calls and the charges associated. Customers can contact GTL customer service at 1-800-231-1093 to set up an account.

**Subscriber Prepaid Account:** this account works the same as the Direct Remit Collect account except the customer will pay for the calls before they take place. There are no restrictions as long as there is a balance on the account. The customer receives a statement every month and receives a 20% discount off the collect rates for all calls that are sent out as prepaid. Customers can call 1-877-372-4330 to set up a prepaid account. GTL must verify billing addresses therefore the customer may be asked to send documents to support the verification of their address.

Customers have several ways to pay for their calls on either Prepaid or Collect accounts. They can send a check or money order to GTL by using the stub with their monthly statement, they can contact customer service and process payments by credit card, or go to any Western Union agent location and fill out the Quick Collect (blue form) with the following information:

Deposit Amount: (enter amount – cash or debit)

Pay To: Direct Remit GTL

Code City: DRGTL

State: AL

GTL Account Number: enter your account telephone number

The agent will collect the funds and Western Union fee and your deposit will be processed usually within 4 hours. (If you are a GTL prepaid direct billed customer, your deposit will be processed within 48 hours.) Should you have any questions regarding the Western Union Service please call customer service at: 1-800-388-7346 or 1-800-231-0193.

# APPENDIX D

## RESOURCES

### Family Service Providers in OHIO

Family Service Resource	Area of Service	Resources & Types of Service	Contact/ Web Address
ALS Family Support Group of Ohio	513 Chauncey Ave. NW New Philadelphia, OH 44663	Provides aid and support to victims of ALS, and other neuromuscular disorders, their families and caregivers	<a href="http://www.alsfamilysupportgroup.com/">http://www.alsfamilysupportgroup.com/</a>
Beavercreek Family Counseling	1935 Winterglen Ct. Dayton OH 45432	Community & Social Services, Counseling	Phone: (937) 427-2427
Bellbrook-Sugarcreek Family	22 S. Main St. Bellbrook, OH 45305	Community & Social Services, Social Services	Phone: (937) 848-3810
Butler Count Job & Family Service	1021 Central Ave. Middletown OH 45044	Community & Social Services, Social Services	Phone: (513) 425-8625
Caring Families	1524 Harvest Ave Dayton OH 45429	Community & Social Services, Social Services	Phone: (937) 643-4000
Center for Children & Families	1310 Adams Rd. Cincinnati OH 45231	Community & Social Services, Counseling	Phone: (513) 521-1154
Cherry Street Mission	105 17th St. Toledo OH 43604	Community & Social Services, Children & Daycare; Social Services	Phone: (419) 242-5141
Council for Economic Opportunities in Greater Cleveland (CEOGC)	Head Start & Community Services in Cleveland Area	Family Development Program; Housing Service; Sister-Friend Program; Workforce Development	<a href="http://www.ceogc.org">http://www.ceogc.org</a>
Department of Jobs and Family Services		Children & Families; Workforce Development; Family Stability; Ohio Medicaid	<a href="http://jfs.ohio.gov">jfs.ohio.gov</a>
East Ohio Regional Hospital Programs (EORHL)	90 North 4th St. Martins Ferry, OH 43935	Social Service/ Community Support Groups	<a href="http://www.eorh-online.com">http://www.eorh-online.com</a>
Family Help in OHIO		Bellefaire Jewish Children's Bureau; The Center for Individual and Family Services; Christian Children's Home of Ohio; East Akron Community House; Fernside: A Center for Grieving Children; First Call for Help; Free Clinic of Greater Cleveland; Franklin County Directory of Mental Health and Recovery Services; Harbor House Maternity Home; Helping Resources in Lakewood; Job Corps; Lutheran Homes Society Family and Youth Services; Lutheran Social Services of Northwestern Ohio; North Central Mental Health Services; Ohio State Support Team for Special Education Services; Outdoor Programs and Summer Camps; Parent Resource Directory for Greater Cleveland Area; Recovery Resources; Teen Mother Choices; United Methodist Children's Home; Violet's Cupboard	<a href="http://focusas.com/Ohio.html">http://focusas.com/Ohio.html</a>
Family Service Agency	535 Marmion Ave Youngstown, OH 44502	Community & Social Services, Information & Referral Services, Non-Profit Organizations	Phone: (330) 782-5664
Family Service of the Cinti	4440 Gleneste Wthmsvl Rd. Ste 100 Cincinnati OH 45245	Community & Social Services, Social Services, Addiction Recovery	Phone: (513) 753-5030
Family Services of Cincinnati	205 W 4th St Ste 200 Cincinnati OH 45202	Community & Social Services, Social Services, Addiction Recovery	Phone: (513) 345-8555
Family Services of Northwest Ohio	Empowering families to manage life's challenges	Four County Family Center, Family Service Counseling Center of Wood County; Family Service of Lucas County; Home Care Options	<a href="http://www.fsno.org">www.fsno.org</a>
Grace Community Center	406 W. Delaware Ave. Toledo OH 43610	Community & Social Services, Children & Daycare; Social Services	Phone: (419) 248-2467
Greene County Job & Family Service	541 Ledbetter Rd Xenia, OH 45385	Community & Social Services, Social Services	Phone: (937) 562-6000
Hamilton County Family Services	222 E. Central Pkwy Cincinnati OH 45202	Community & Social Services, Social Services	Phone: (513) 946-1800
INFOhio	Parent Resources (Specifically Online Resources)	How to help with homework; Internet Safety; Achievement Test Site; Child Safety in General; Information for Parents with Children in Grades K-12	<a href="http://www.infohio.org/Parent/default.html">http://www.infohio.org/Parent/default.html</a>



# APPENDIX D

## RESOURCES, *cont.*

### Family Service Providers in OHIO

Family Service Resource	Area of Service	Resources & Types of Service	Contact/ Web Address
Jewish Community Center of Toledo	6465 Sylvania Ave. Sylvania OH 43560	Community & Social Services, Children & Daycare; Social Services	Phone: (419) 885-4485
Jewish Family Services			<a href="http://www.jfscolumbus.org">http://www.jfscolumbus.org</a>
Job & Family Services	30 E Broad St. Fl 32 Columbus OH 43215	Community & Social Services, Social Services	Phone: (614) 466-2100
Lucas County Job Family Service	3210 Monroe St. Toledo OH 43606	Community & Social Services, Social Services	Phone: (419) 213-8999
Lucas County TASC Program	1 Stranahan Sq. Ste. 342 Toledo OH 43604	Community & Social Services, Social Services	Phone: (419) 242-9955
Lutheran Social Service	2149 Collingwood Blvd. Toledo OH 43620	Community & Social Services, Senior Citizen Services, Social Services	Phone: (419) 243-9178
Ohio Coalition for the Education of Children with Disabilities		OCECD Activities; OCECD Resources; Parent Mentors; Other Ohio Resources	<a href="http://www.oecd.org/">http://www.oecd.org/</a>
Ohio Employment & Family Services	Health & Human Services for All of Ohio	Child Care Assistance; Food Assistance; Grandparents & Other Kinship Care; Neighborhood KidsHealthMobile Schedule; Services for the Disabled; Services for Older Adults	<a href="http://employment.cuyahogacounty.us/OWF.htm">http://employment.cuyahogacounty.us/OWF.htm</a>
Ohio Family Care Association (OFCA)		Adoptive; Foster; Kinship; Respite	<a href="http://www.ofcaonline.org/">http://www.ofcaonline.org/</a>
Ohio Family Support Collaborative	50 West Broad St. Ste 1400 Columbus OH 43215	Ohio Legal Rights Service (OLRS)	<a href="http://olrs.ohio.gov/asp/olrs_FSCHomePage.asp">http://olrs.ohio.gov/asp/olrs_FSCHomePage.asp</a>
Ohio Parent Information Network	Links to many different Resources and General Information	Top Ten Tips for Parents; Child Care; Work Issues; Life Issues; Family Routines; Discipline; Health & Nutrition; Safety; Hospitalization; Parenting; Social Skills; Self-Esteem; Developmental Issues	<a href="http://oh-pin.org/">http://oh-pin.org/</a>
Ohio State Resources		State Agencies; Disability Organizations; Parent Organizations; Other Organizations	<a href="http://www.nichey.org/stateshe/oh.htm">http://www.nichey.org/stateshe/oh.htm</a>
Ohio Unemployment Benefits (ODJFS)	General Online Resource		<a href="http://jfs.ohio.gov/ouc/">http://jfs.ohio.gov/ouc/</a>
Prevent Child Abuse Ohio	The Parent Resource Line	Finding Good Safe Child Care, etc.	<a href="http://www.pcao.org/programs/resource.cfm">http://www.pcao.org/programs/resource.cfm</a>
St. Aloysius Family Service Center	35 Midland Ave Columbus OH 43223	Community & Social Services, Social Services	Phone: (614) 274-0049
Sunshine Children's Home	3211 King Rd. Toledo OH 43617	Community & Social Services, Children & Daycare; Social Services	Phone: (419) 842-0580
Sunshine Inc. of Northwest Ohio		Family Support Service Program; Family Intervention Service Program; Crisis Intervention Program; Respite	<a href="http://www.sunshineincnwo.com/familysupport.html">http://www.sunshineincnwo.com/familysupport.html</a>
UHCAN Ohio	Universal Health Care Action Network of Ohio	Eliminating Ethnic and Racial Disparities in Health Care; Making Ohio Prescriptions more affordable; strengthening and expanding the health care safety net	<a href="http://www.uhcanohio.org/coalitions/famcovcoal.html">http://www.uhcanohio.org/coalitions/famcovcoal.html</a>
Union County Job & Family Services	940 London Ave Ste 1800 Marysville, OH 43040	Community & Social Services, Social Services	Phone: (937) 644-1010
United Way	Call 2-1-1 First Call for Help	Connection People to Services (United Way of Greater Cleveland)	Phone: (216) 436-2000
Westark Family Services	42 1st St NE Massillon OH 44646	Community & Social Services, Social Services, Adoption Agencies	Phone: (330) 832-5043
Youth Service	1133 S Edwin C Moses Blvd Ste 400 Dayton OH 45408	Community & Social Services, Social Services	Phone: (937) 285-6525
Voices for Ohio's Children	Statewide; Offices in Cleveland and Columbus, Ohio	Advocacy for Public Policy Change, Lobbying	<a href="http://www.vfc-oh.org">www.vfc-oh.org</a> ; and 1 (877) 881-7860

# APPENDIX E

## Voices for Ohio's Children Juvenile Justice Initiative



### Partnering Organizations

Alvis House  
Alliance for Child Caring  
Service Providers  
Alternatives for Youth  
Berea Children and  
Family Services  
Central Ohio Youth Center  
Connections  
Domestic Violence Center  
FamilyVoices of Ohio  
J.Toth  
Juvenile Justice Coalition  
NAMI Ohio  
National Youth Advocate Program,  
Inc.  
Ohio Association of  
Child Caring Agencies  
Ohio Justice Alliance for  
Community Corrections  
Oriana House, Inc.  
Peggy Hannah  
Support to at Risk Teens  
University of Toledo – Depart-  
ment of Criminal Justice  
Voices for Ohio's Children

[www.vfc-oh.org](http://www.vfc-oh.org)

To transform Ohio's juvenile justice system, Voices for Ohio's Children Juvenile Justice Initiative brings together a broad-based group of individuals and organizations from Ohio to grow an informed, collective, community voice to advocate for transformation of Ohio's juvenile justice system. Voices for Ohio's Children is the non-partisan voice of Ohio's nearly 3 million children. With more than 100 collaborative partners, we impact the changes in public policy that improve the health, safety, education, family stability and childcare of Ohio's children and their families.

The work of Juvenile Justice Initiative will be done by its partners, and in collaboration with other initiatives, with Voices providing the leadership and staffing needed to coordinate and mobilize a collective voice to promote policy change.

A sound juvenile justice policy agenda rests upon an understanding of adolescent development and incorporates the following best practice standards:

- increasing the range of effective community-based alternatives to institutionalization;
- addressing the challenges of youth with special needs; meaningfully engaging families and youth in their care;
- improving access to legal advocates to ensure effective representation in the system, and;
- ensuring that all youth, regardless of race or income, have equal opportunities for treatment and care.

I am interested in participating in Voices for Ohio's Children Juvenile Justice Initiative and support its goal of transforming Ohio's juvenile justice system. To sign please contact Voices for Ohio's Children via email: [info@vfc-oh.org](mailto:info@vfc-oh.org) or fax: (216) 881-7863.

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## Framework for Transforming the Juvenile Justice System

The Voices for Ohio's Children Juvenile Justice Initiative (JJI) is dedicated to improving the juvenile justice system in Ohio. The JJI is comprised of a broad-based group of individuals and organizations from Ohio committed to advocating for transformation of Ohio's juvenile justice system.<sup>i</sup> As part of this effort, JJI recognizes the importance of articulating its vision of an effective juvenile justice system. Because the Ohio Department of Youth Services (ODYS) is responsible for the care and custody of the most serious youth offender in the juvenile justice system statewide, and reducing institutionalization through the expansion of effective community-based alternatives is a top priority of the JJI, this framework is focused on this target population of adjudicated youth. The following document reflects the process, rationale, and recommendations for a model ODYS care continuum.

### Background & Methodology

A "model juvenile justice system" has as a "consistent set of goals, characteristics, practices, and specific outcomes that follow from certain broadly accepted core values relating to youth."<sup>ii</sup> According to national experts and research, such a system is committed to the following key principles: (1) Fundamental fairness; (2) Individual, community and system accountability; and (3) Recognition of young people's individuality and potential.<sup>iii</sup> These principles are further articulated in the nine tenets of the Blueprint for Juvenile Justice Reform adopted by JJI.<sup>iv</sup>

The JJI identified a subset of workgroup members to research and develop a draft framework of guiding principles and core attributes for an effective care continuum for youth adjudicated delinquent and committed to ODYS.<sup>v</sup> Each of the participating workgroup members had visited at least one, if not several, existing ODYS state facilities over the last year. The group chose to tour and meet at the Lighthouse Youth Center – Paint Creek in order to gain a better understanding of how best practices might most realistically be implemented in a juvenile "correctional" setting.

To be clear, the workgroup deliberately focused on

the deep-end part of the juvenile justice system—not the entire JJ continuum (i.e. from point of arrest, diversion, detention, court, disposition, probation/parole, re-entry, etc.)—and the group did so with an understanding that a fundamental objective must be to avoid or mitigate youth involvement in the juvenile justice system overall. *Diverting inappropriately placed youth from the system is paramount.*

Using the key principles and nine tenets discussed above as guides, together with other research regarding fundamental characteristics of an effective juvenile justice system, the workgroup met to discuss how these principles, and best practice experiences from Paint Creek and other juvenile facilities, should inform JJI's vision for a reformed system of care (care continuum) for youth committed to ODYS.

### Attributes of a Model ODYS Care Consortium

At the outset, it should be noted that this care continuum implicitly, and where appropriate explicitly, embodies the principles of restorative justice and fairness for all youth. Central to the practice of restorative justice is a conception of crime as harm to the community. Restorative practices go beyond accountability and restitution by actively seeking ways to assist juveniles to build the competencies that will help them develop into responsible, contributing members of the community. The goals of restorative justice balance the concerns of the victim, offender, and community by holding the youth offender accountable for the harm to the community, repairing that harm to the extent possible, and developing competency in the youth so that he or she makes better future choices.<sup>vi</sup> In a balanced and restorative system, all young people should be treated fairly and equitably for delinquent acts and should have equal access to culturally appropriate services to meet their needs and to prevent future harm.

The following is a proposed list of characteristics identified as essential to achieving an effective ODYS continuum of care.

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*In January 2008, independent fact finder Fred Cohen issued an investigative report sustaining the complaints of a broad class action suit against Ohio's Department of Youth Services (ODYS). In short, the Cohen report found ODYS facilities to be "overcrowded, understaffed and underserved," with grave misuse of excessive force and isolation.*

- **Accountability** of public and private systems – which includes transparency between those responsible for oversight of youth safety and care and the courts, community, policymakers, advocates, lawyers, and other affected stakeholders.
- **Qualified staff** – which includes hiring, training, and ongoing management of personnel to build adolescent development expertise, cultural competence, and a genuine sense of caring and concern for the youth. Quality programming depends on the recruitment and retention of quality staff.
- **Safe environment** – physical and emotional safety—for both youth and staff—is paramount; without feeling safe, no youth can learn to change their behavior.
- An **overarching comprehensive system** that includes community interventions, residential placement, and secure care, through a mixture of contracting and direct services, with opportunities to step down—or up—as appropriate in a continuum of care for each youth.<sup>vii</sup> Such a system should capitalize on the capacity of non-profit agencies to secure other sources of funding (i.e. Medicaid and Title IV-E) to complement state funding for the delivery of services. With strong quality assurance systems in place, the state can extend its capacity to effectively serve youth through well-managed contractual relationships with private agencies. In addition, use of community resources within facilities should be maximized.
- **Smaller regional facilities** for residential and/or secure placement located in proximity to centers of population (with approximately 30, and no more than 60, youth per facility), with a network of small, secure backup facilities for short-term, intensive programming and re-evaluation of the appropriateness of placement for non-engaging youth. Ideally, classification efforts would ensure that youth are placed in a regional facility located no more than 100 miles from their families, in order to encourage family visits and other forms of engagement.
- **Effective and consistent admissions and screening, and ongoing assessments** to ensure: youth are diverted to the least-restrictive environment where appropriate; the needs of those remaining match the program; and, that the use of secure care is limited to only serious and violent youth.
- **Engagement of families**—or some “lifetime adult”—at all levels of intervention. Such engagement requires a commitment by the agency/facility to actively involve families and maintain ongoing, family-friendly, and open communications regarding a youth throughout the stay. This also includes a family-centered philosophy for youth offenders who are themselves parents and seek to be a caregiver in their child's life.
- **Appropriate discipline and intervention strategies** with graduated levels of response and accountability within a restorative justice framework, incorporating verbal de-escalation and conflict resolution techniques, trauma-informed care, and principles of adolescent development. Seclusion and restraint replaced with monitored time-outs and “handle with care” techniques.
- **Quality behavioral health treatment** that incorporate appropriate professional standards of care and, if not evidence-based and/or best practices, include an evaluation and research component to measure outcomes and demonstrate effectiveness. Research and reporting outcomes should include quality control measures that are translated to the public and used to engage “outsiders.”

- **Individualized, dynamic treatment planning** and programming informed by principles of adolescent development and facilitated through active youth involvement (where youth truly “own” their plans and revise as needed).
- **Application of skill-building in daily living activities with therapeutic milieu** – treatment happens everywhere **with all staff** (youth workers, administrators, cooks, janitors, etc.) trained and invested in positive outcomes for each youth.
- **Appropriate education** with opportunities for continued education and/or vocational training. Educational component designed with appropriate assessments at intake and opportunities to advance students at their own pace, consistent with special educational needs and protections.
- **Strong re-entry efforts**, facilitated by a **fair and effective release process**, which begins at the time of admission and consists of a wrap-around case management function and includes residential options for kids who cannot return home to their families.
- **Access to competent and committed advocates/lawyers** and an effective grievance and monitoring process that youth can access confidentially with any questions or concerns about their case and/or placement.
- **Systemic flexibility** – a system that is able to adapt to new, proven, and effective programming in treatment and/or changing demographics in the population.
- **Shared responsibilities through collaborative partnerships** with state agencies—in particular the Department of Mental Health, the Department of Alcohol and Drug Addiction Services, the Department of Mental Retardation and Developmental Disabilities, and the Department of Job and Family Services—to address specific challenges of severely mentally ill youth and mentally retarded or developmentally disabled youth in ODYS. If such a need is demonstrated, the appropriate state agency should take the lead in coordinating an appropriate intervention with ODYS as a partner.

## Conclusion

In order to achieve this vision for an effective ODYS care continuum, commitment from policy-makers at all levels of government, coupled with adequate funding for transforming the system, is key. A strategy for adequate funding consists of several elements, including: initial up-front dollars to support “bridging” from the current system into a transformed system; a planned, phased-in approach to reallocation of existing funds from large, institutional facilities to this model continuum of care; and a reinvestment strategy that ensures cost-savings realized through the transformation are reinvested into delinquency prevention and diversion efforts.

## ENDNOTES

- <sup>i</sup> See the “Voices for Ohio’s Children Juvenile Justice Initiative” sign-on statement of support for a more detailed description of the JJI and its priorities and activities.
- <sup>ii</sup> See, *Juvenile Justice: New Models for Reform*, John D. and Catherine T. MacArthur Foundation, Fall Newsletter (2005), discussing key elements of “Models for Change Initiative”, page 6.
- <sup>iii</sup> Ibid.
- <sup>iv</sup> Blueprint for Juvenile Justice Reform, Youth Transition Funders Group (2005), presenting nine tenets.
- <sup>v</sup> This memorandum is based on a 9/10/07 Paint Creek visit and brainstorm with: Amy Borrer, Linda Julian, Renee Hagan, Bob Mecum and Gabriella Celeste; it was subsequently revised and adopted by the JJI Steering Committee on 11/8/07 and shared with the entire JJI membership for review and approval.
- <sup>vi</sup> For more information, go to <http://ojjdp.ncjrs.org/PUBS/implementing/contents.html> for a sample guideline to implementation of the balanced and restorative justice model. For a faith-based example of restorative practices, see <http://www.restorejustice.com/index.php>.
- <sup>vii</sup> Note of caution: step up should not be used as punishment for non-engagement, but instead for a removal and time-out period in order to re-evaluate the initial placement and determine its appropriateness in light of any youth-specific issues. A youth, for example, may not be able to engage in the program because of an undiagnosed or misdiagnosed mental illness or disability that was not readily apparent when he was first placed in the program.





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**Cleveland office:** 4019 Prospect Avenue • Cleveland, Ohio 44103 • 216-881-7860  
**Columbus office:** 510 East Mound Street, Suite 200 • Columbus, Ohio 43215-5571 • 614-225-9073  
**[info@vfc-oh.org](mailto:info@vfc-oh.org) • [www.vfc-oh.org](http://www.vfc-oh.org)**