

STATE OF CRIME & JUSTICE IN OHIO

EXECUTIVE SUMMARY

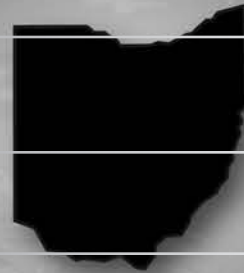


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Crime in Ohio

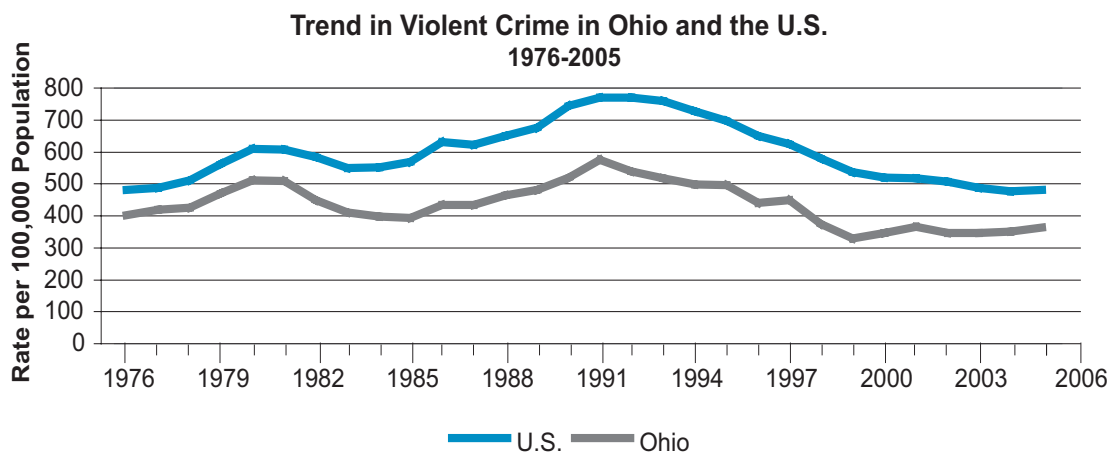
Crime is defined as acts that are prohibited by the state and against which the state may sanction the individual. The Ohio Revised Code (ORC) Section 2901.03 states that an act cannot be considered a criminal offense against the state unless it is specifically defined in the ORC. The ORC describes in great detail hundreds of acts identified by the state as criminal offenses.

Crimes are categorized based on their degree of seriousness. Felonies are serious crimes that could result in a prison sentence. Conviction of a felony offense results in a loss of rights such as voting, owning a firearm, certain employment licenses like those for physicians or certified public accountants, and holding public office. Misdemeanors are lesser crimes that can be punishable by a fine, restitution, probation and/or jail time.

Ohio Crime Classification*	Example of Offense
Aggravated Murder	Aggravated Murder
Murder	Murder
Felony 1	Attempted Murder, Rape
Felony 2	Felonious Assault
Felony 3	Extortion
Felony 4	Motor Vehicle Theft
Felony 5	Theft valued between \$500-\$5,000
Misdemeanor 1	Possession of Criminal Tools
Misdemeanor 2	Desecration of a Flag, Monument, etc.
Misdemeanor 3	Prostitution
Misdemeanor 4	Failure to Report a Crime (Felony)
Minor Misdemeanor	Failure to Disperse

* Some crimes that are misdemeanors as a first-time offense can be bumped into the felony level if the offense is repeated by an individual. Additionally, if an offense is committed against a person because of race, ethnicity, religion, sexual orientation, or disability, the original offense is raised to the next level.

Ohio's violent crime rate over the past 30 years, like that of the nation, has fluctuated from highs in the early 1990s to lows since the late 1990s. While Ohio's violent crime rate has consistently been lower than that of the U.S., the trend lines closely mirror one another.

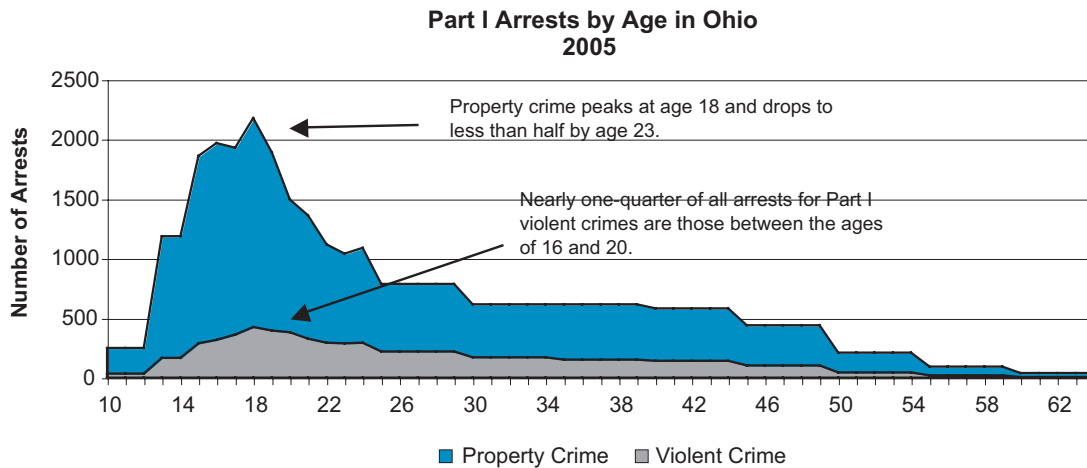


Source: *Crime in the United States, 1976-2005*

Arrests in Ohio

In 2005, there were 287,972 arrests reported to the FBI by 500 Ohio law enforcement agencies, representing more than nine million residents.¹ More than 16 percent were juvenile arrests. The violent crimes of murder, rape, robbery, and aggravated assault accounted for nearly three percent of all arrests, while the property crimes of burglary, larceny-theft, motor vehicle theft, and arson accounted for more than 12 percent of arrests. Drug abuse violations constituted another 13 percent of arrests. The majority of all arrests — more than 70 percent, were for less serious or less frequently occurring crimes.

As the following graph of 2005 data shows, the majority of arrestees were in their late teens and twenties. Specifically, 49 percent of those arrested for serious Part 1 violent and property crimes were under age 24, and 23 percent were under age 18. The peak age of arrest for Part 1 violent crime and property crime was age 18. There were relatively few arrestees over age 55.

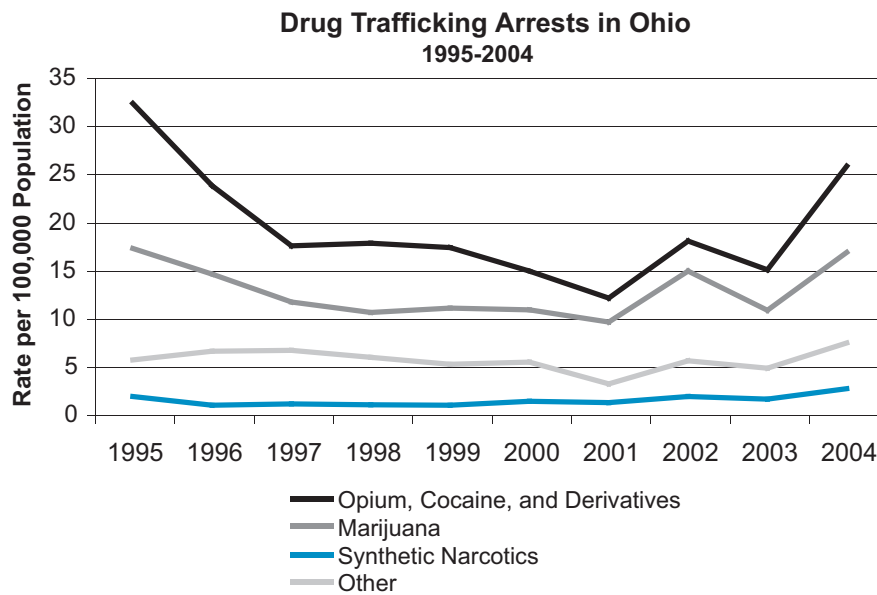


Source: FBI, Ohio Tables, 2005

Drug Arrests in Ohio

Three hundred sixty-six law enforcement agencies, representing more than 8.3 million Ohioans, reported over 33,000 drug arrests in 2004. For those arrests for which information was available, the data show that 13 percent of arrests were for drug trafficking and 87 percent were for drug possession.

Trafficking arrest rates across all reported drug types generally declined from 1995 through 2001, increased in 2002, and again in 2004. Nearly half of trafficking arrests involved opiates (opium, cocaine and their derivatives).



Source: FBI Ohio Tables, 1995-2004

Domestic Violence Arrests in Ohio

Domestic violence is a crime that extends beyond the abuse of a spouse. By statute, domestic violence is a crime against family or household members, including children, siblings, in-laws, step-families, grandparents, and other family members.

The following is a snapshot of domestic violence arrestees. The data come from the Ohio Incident-Based Reporting System (OIBRS), which allows law enforcement to collect detailed information about victims, suspects, property, arrests, and offenses to provide a detailed picture of crime and the nature of the criminal event. Participation by law enforcement agencies in OIBRS is voluntary; thus, the data only represent a portion (51 percent) of the Ohio population. The data in this snapshot are not meant to be representative of the entire state.

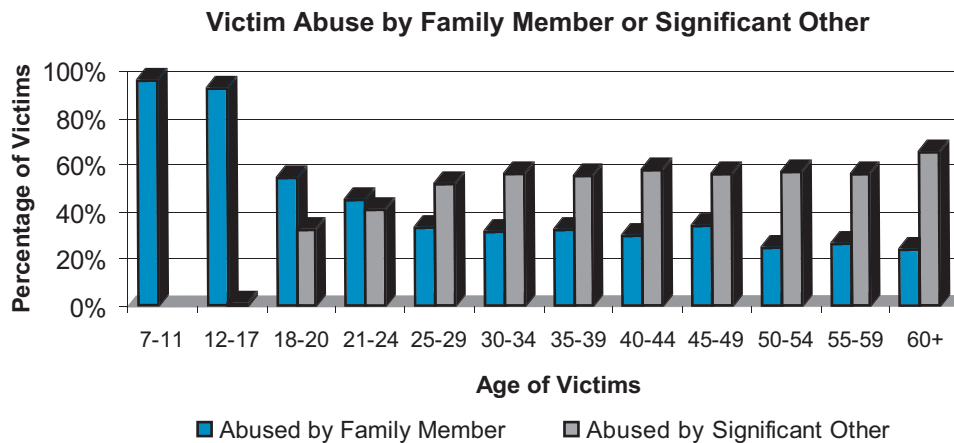
Profile of Domestic Violence Arrestees

In 2005, more than three-fourths of domestic violence arrestees were male. The average age of the arrestee was 30.5 years. The average age was higher for males (31.3 years) than for females (27.4 years). Fifty-six percent of arrestees were Caucasian and 42 percent were African-American.

Fifteen percent of arrestees were classified as juveniles. Twenty percent of the arrested juveniles were handled within the police department, and 80 percent were referred to other authorities such as juvenile court, probation department, welfare agency, etc.

Approximately two percent of the incidents involved more than one arrestee. Of these incidents, the majority, 75 percent, involved a male and female arrestee. In 12 percent of cases, two males were arrested, and in 13 percent of incidents, two females were arrested.

The relationship between the victim and the arrestee was dependent, in part, on the age of the victim. Younger victims (such as those under age 18) were nearly always abused by a parent or sibling. Specifically, victims age seven to 11 were victimized by a family member in 96 percent of the analyzed incidents. Fifty-four percent of the time, the abuser was a parent, and 30 percent of the time the abuser was a sibling. Ninety-two percent of victims ages 12 to 17 were abused by a family member. Of these, 54 percent were abused by a parent, 20 percent were abused by a sibling, and three percent were abused by a grandparent. As the age of the victim increased, so did the percentage of incidents in which a significant other (spouse, ex-spouse,² common law spouse, boyfriend, girlfriend, homosexual partner) was arrested for domestic violence. The following graphic displays this statistic.



Source: OIBRS 2005 data, Office of Criminal Justice Services

Victims of Crime

Victims can be individuals or a legally established entity such as a business, church, or government agency. Under a traditional concept, a crime is an offense committed against the state where the victim is treated as a witness to the crime. Situations where the victims are seemingly voluntary participants, such as prostitution or gambling, are called “victimless crimes.”

The role of the victim in the criminal justice system has generated many dissertations and scholarly presentations. Generally, a crime victim is the object of a criminal act. Although the traditional concept has prevailed, the evolution of the criminal justice system has from time to time opened the door to consider the crime victim as a much more active or involved participant. In the mid-1970s, a wave of victim-offender mediations or dialogues paved the way to a “new” theory in the criminal justice field: *restorative justice*.³ One of most salient characteristics of restorative justice is how it “elevates the role of crime victims ... through more active involvement in the justice process, holding offenders directly accountable to the people ... they have violated, restoring the emotional and material losses of victims, and providing a range of opportunities for dialogue, negotiation, and problem solving, whenever possible, which can lead to a greater sense of community safety, social harmony, and peace for all involved.”⁴

Restorative justice has influenced how crime victims are treated in Ohio. Article I, Section 10(a) of the Ohio Constitution, adopted in 1994, creates rights for crime victims⁵ and directed the General Assembly to adopt legislation that articulates the definition of a crime victim and spells out the rights held by a crime victim. This impetus led to the enactment of Revised Code Chapter 2930, codifying a definition for crime victims according to official reports or filings as “a person who is identified as the victim of a crime or specified delinquent act in a police report or in a complaint, indictment, or information that charges the commission of a crime and that provides the basis for the criminal prosecution or delinquency proceeding.”⁶ Among the most salient rights afforded to crime victims in Ohio are the:⁷

Right to be informed...

- ❖ by law enforcement about crime victims’ rights, compensation programs and community services, and the name of the accused.
- ❖ by the prosecutor about the progress of the case and dates of the hearings.
- ❖ by the corrections department about release hearings and dates of hearings and for release.

Right to be present...

- ❖ at the hearings.
- ❖ with a person for support.
- ❖ or to send a representative to attend the hearings for the crime victim.

Right to be heard...

- ❖ through an impact victim statement.
- ❖ without penalty from the victim’s employer.
- ❖ with consideration for the victim’s confidentiality and safety.

Right to restitution...

- ❖ from the Ohio Crime Victims Compensation Fund for certain crime-related injuries.
- ❖ by the criminal for financial loss when ordered by the court.
- ❖ enforced as a civil judgment.

Males, African-Americans and those 24 years old or younger are among those individuals most often victimized.

Violent Victimization Crime by Gender, Race, Age, and Household Income*							
	2000	2001	2002	2003	2004	2005	Percent Change 2000-2005
Gender							
Male	33%	27%	26%	26%	25%	26%	-21%
Female	23%	23%	21%	19%	18%	17%	-26%
Race							
African-American	35%	31%	28%	29%	26%	27%	-23%
Caucasian	27%	25%	23%	22%	21%	20%	-26%
Age							
12-15	60%	55%	44%	52%	50%	44%	-27%
16-19	64%	59%	58%	53%	46%	44%	-31%
20-24	50%	45%	47%	43%	43%	47%	-6%
25-34	35%	29%	26%	26%	24%	24%	-31%
35-49	22%	23%	18%	19%	18%	18%	-18%
50-64	14%	10%	11%	10%	11%	11%	-21%
65+	4%	3%	3%	2%	2%	2%	-50%
Marital status							
Never married	51%	45%	44%	43%	41%	37%	-27%
Married	13%	11%	11%	11%	10%	10%	-23%
Divorced/Separated	42%	42%	32%	36%	34%	32%	-24%
Widowed	8%	8%	8%	4%	5%	6%	-25%
Annual household income							
Less than \$7,500	60%	47%	46%	50%	39%	38%	-37%
\$7,500 - \$14,999	38%	37%	32%	31%	39%	27%	-29%
\$15,000 - \$24,999	32%	32%	30%	26%	24%	30%	-6%
\$25,000 - \$34,999	30%	29%	27%	25%	22%	26%	-13%
\$35,000 - \$49,999	29%	26%	26%	21%	22%	22%	-24%
\$50,000 - \$74,999	24%	21%	19%	23%	22%	21%	-13%
\$75,000 or more	22%	19%	19%	18%	17%	16%	-27%

* Figures in this table have been rounded off to whole numbers, which may have resulted in a slight discrepancy from original data set.

Source: *National Crime Victimization Survey, 2000-2005*, Bureau of Justice Statistics

Ohio Assistance for Victims of Crime

Victims of crime in Ohio are not alone. They may receive support from a variety of sources beyond their immediate family or friends. From a systemic perspective, local service providers and state agencies serve an important function, not only by providing support, but also by providing the resources to assist victims navigate the complicated criminal justice systems as well as deal with the trauma of their victimization.

Direct Financial Support to Victims of Crime

The Ohio Attorney General's Office administers the Ohio Victim Reparations Fund. The law allows crime victims to apply for up to \$50,000 for reparations to compensate for economic losses resulting from personal injury as a result of a violent crime.⁸ In fiscal year (FY) 2006, Ohioans filed 7,974 claims. The Ohio Attorney General's Office paid 3,790 awards that totaled approximately \$14.5 million — an average award amount of \$3,334.⁹ The compensation fund has been used to cover losses resulting from such crimes as domestic violence, sexual assault, robbery, assault, and homicide. In FY 2006, the four crimes for which the most awards were paid were assault (3,174 awards), domestic violence (990 awards), robbery (758 awards) and homicide (494 awards). Citizens can access this fund by contacting the Crime Victims Services Section at the Ohio Attorney General's Office.

In addition, the Ohio Attorney General's Crime Victims Services Section administers the Ohio Victims Assistance Grant Program, which supports agencies providing services to victims of crime. According to the *Attorney General's Crime Victims Section Annual Report for 2006*, of the more than \$34 million allocated to the Ohio Victim Reparations Fund for FY 2006 state and federal monies, approximately 300 service agencies were funded through the Ohio Victim Assistance Grants Program. Services provided through the funding included crisis counseling, follow-up, therapy, group treatment/support, shelter/safehouse, information/referral, criminal justice support/advocacy, emergency financial assistance, emergency legal assistance, assistance in filing compensation claims, and personal advocacy.

Support to Local Programs Serving Victims of Crime

Other government entities also support efforts to assist victims of crime. The Ohio Department of Health (ODH) administers a funding stream directed to underwrite the costs of sexual assault prevention programs and crisis intervention services for sexual assault victims, such as operating 24-hour hotlines, hospital advocacy, counseling services, and support groups (both peer-led and professionally-led). In FY 2005, ODH disbursed \$1,462,260 to 33 projects. The Office of Criminal Justice Services (OCJS) supports services for victims through three funding streams: the Byrne Justice Assistance Grants program (JAG), Violence Against Women Act grants program (VAWA), and Family Violence Prevention and Services Act (FVPSA) grants program. This funding supports a broad array of services from safe havens/shelters to other direct services for domestic violence, sexual assault and other crime victims. The following table describes the amount disbursed for each funding stream and projects supported during calendar year 2006.

Funding Provided through OCJS in 2006		
	Amount Disbursed	Victim Service Projects
JAG	\$1,414,829.43	49
VAWA	\$2,689,253.62	93
FVPSA*	\$2,618,456.98	62

* FVPSA grants program is disbursed on a fiscal year cycle.

Finally, Ohio has excellent crisis response teams composed of highly trained volunteers who assist victims, family members, and witnesses with their immediate needs and arrange referrals for long-term services. Ohio's teams respond to natural disasters and severe traffic accidents as well as crime victimizations. Ohio sent several crisis teams to areas affected by the Katrina and Rita hurricanes. In Ohio, the Attorney General's Office coordinates these crisis response teams.

Ohio's Services to Crime Victims Whose Offender is Incarcerated

Beyond direct financial support or services from local providers, crime victims in Ohio whose offender is incarcerated can count on the Ohio Department of Rehabilitation and Correction (ODRC) to provide assistance in understanding the corrections system. The Office of Victim Services at ODRC provides crime victims a variety of services, including facilitating victim-offender dialogues (VOD); ensuring full participation in the post-conviction process, such as addressing the Parole Board during clemency hearings; assisting victims who want to attend their offender's execution, and coordinating services for crime victims with local victim assistance programs. For example, the Office of Victim Services has provided direct support to 344 victim-witnesses between February 1999 and December 2006.

One of ODRC's most recognized program is its victim-offender dialogue program. This program brings the victim and offender together in a metaphorical leveled playing field to talk about the crime and the harm it caused to the victim and community. Because this program centers around providing victims a more full and meaningful participation in the criminal justice system, ODRC's program follows the Empowerment Dialogue Typology which emphasizes two components — victim-initiated dialogue, in a victim-sensitive approach. The victims set the boundaries of the dialogues by defining and identifying their own needs. While it varies from victim to victim (the very reason for conducting the VOD), many victims view the program as an opportunity to ask their offender questions about the crime and what motivated them to commit the crime. The offender's participation is voluntary. Offenders often use this opportunity to apologize for their crimes and accept responsibility for their actions.

This program is deeply grounded on the principles of restorative justice, which seeks to provide the victim a meaningful opportunity to hold the offender personally accountable for the crime. "When offenders face their victims directly ... to listen as they describe the impacts of the crimes, there is a dramatic increase in the victims' sense of 'being heard'."¹⁰ Because concepts of restorative justice take place post-conviction, ODRC's approach is known as community justice. In the instance of VOD, this program empowers victims and sets them in the path of healing; for the offenders, the program draws them closer to understand the impact of their violent behavior and serves, in some instances, a rehabilitative purpose.

Given the sensitivity needed to hold the VOD, ODRC staff reviews each request to determine its appropriateness. If the request is deemed appropriate for victim-offender dialogue and the parties are amenable to the dialogue, ODRC staff works independently with the victim and the offender to prepare them for the dialogue. The process of preparing the parties for the dialogue is long and deliberate — taking up to a year — to ensure that the parties are ready to engage in a meaningful dialogue. Also, the preparation time is used to constantly evaluate the appropriateness of a particular request. In 2006, ODRC received 60 requests for VOD, yet conducted only 10 dialogues.

In calendar year 2006, there were:	
60	Total Requests for VOD
39	Requests Inappropriate for Dialogue
21	Requests Accepted for Dialogue
10	Total Dialogues Held

Source: Ohio Department of Rehabilitation and Correction

Of the 21 requests initially accepted, 11 cases did not realize the VOD for a variety of reasons, such as either party withdrew consent to participate, or after further consideration, the case was deemed inappropriate for VOD. Of the 10 dialogues conducted, seven dialogues involved murders, and the remaining dialogues involved sexual assaults committed by the offender against the victim.

Ohio's Law Enforcement

On February 20, 2002, Ohio Revised Code Section 109.761(B) became effective. This code requires that each agency annually provide to the Ohio Peace Officer Training Commission a roster of all persons who have been appointed to, or are employed by, the agency or entity as peace officers. This is notable because it made it possible for the State of Ohio to assess the size and composition of each agency that has peace officers. Note that data from the Ohio State Highway Patrol are not included in the table below. According to the FBI's *Crime in the United States 2005* report, the Ohio State Highway Patrol had 1,547 full-time troopers.

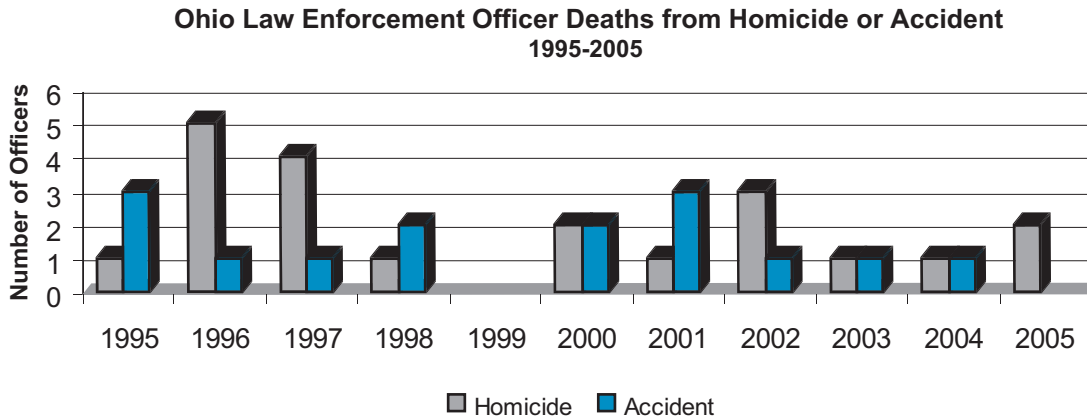
Ohio Revised Code Section 109.761(B) requires that each law enforcement agency annually provide to the Ohio Peace Officer Training Commission a roster of all persons who have been appointed to, or are employed by, the agency or entity as peace officers.

2005 Peace Officer Appointment by Agency Type								
Agency Type	Agency Count	Full-Time	Part-Time	Reserve	Auxiliary	Special	Seasonal	Total Officers
Municipal, village, and township	784	16,632	2,662	941	1,161	145	26	21,567
Sheriff	88	5,593	212	537	507	2,292	4	9,145
College/ university	34	531	279	26	39	2	0	877
Park	32	353	137	9	22	3	1	525
Hospital/ behavioral health	26	338	48	12	2	20	0	420
State agency	11	630	67	10	0	0	12	719
Airport/ transit authority	5	172	6	0	1	0	0	179
Amusement park	3	3	12	22	7	0	0	44
Housing authority/ veterans' home	2	92	1	1	0	0	0	94
Railroad agency	2	37	0	0	0	0	0	37
Total	987	24,381	3,424	1,558	1,739	2,462	43	33,607

Source: *A Statistical Profile of Ohio Peace Officers and Law Enforcement Agencies, 2005*, Ohio Peace Officer Training Commission

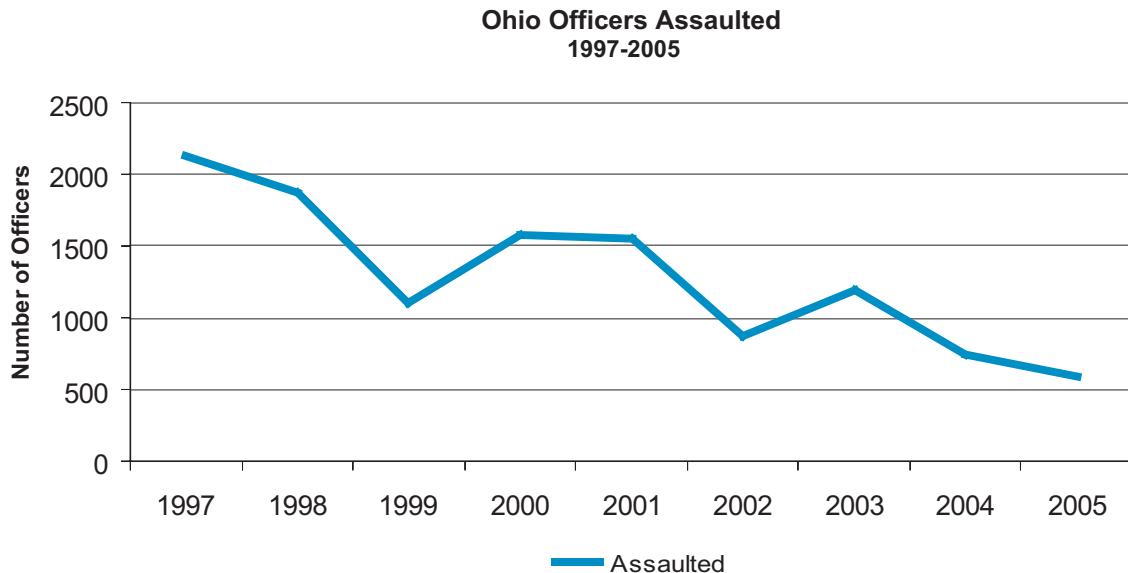
Ohio Law Enforcement Officers Killed and Assaulted

During the period of 1995-2005, there were 21 law enforcement officers feloniously killed, and 15 officers accidentally killed in Ohio. In 1999, there were no officer homicides or accidental deaths in Ohio.



Source: FBI's *Law Enforcement Officers Killed and Assaulted, 2005*

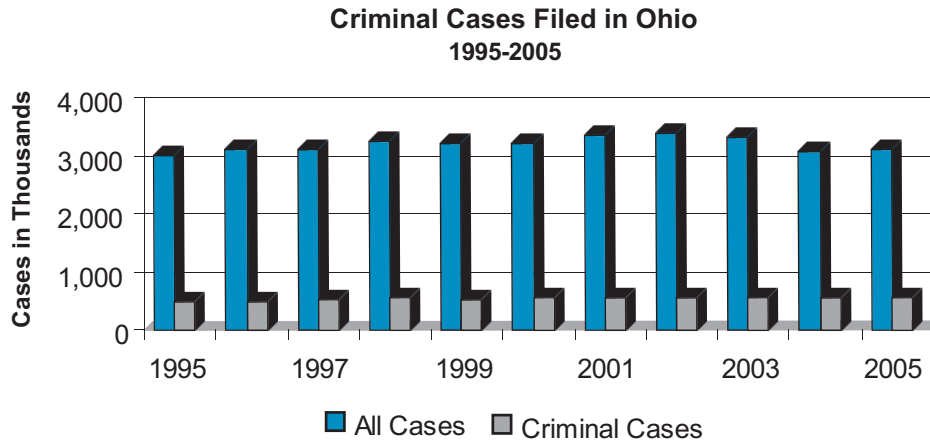
In 2005, Ohio police agencies reported 586 assaults on officers. This assault number represents reports from 185 agencies, or approximately 29 percent of the state's jurisdictional population. The rate of assault per 100 officers in Ohio in 2005 was 9.4, below the U.S. rate of 11.9 per 100 officers.



Source: FBI's *Law Enforcement Officers Killed and Assaulted, 2005*

Ohio's Court System

Ohio experienced a four percent increase in the number of new cases, including civil actions, filed in the state's courts in the last decade. New criminal filings, both felonies and misdemeanors, constituted 18 percent of the overall volume of cases. The state experienced a modest increase in new criminal case filings from 2000-2003, which leveled off in 2004.

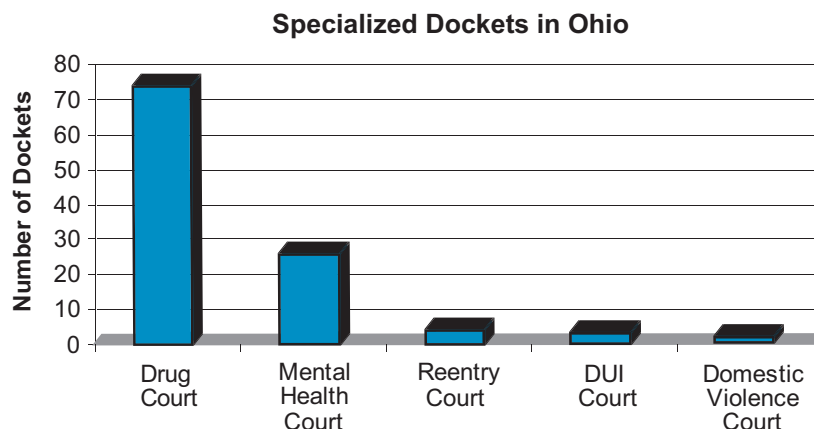


Source: *Ohio Courts Summary, 1995-2005*, Supreme Court of Ohio

Depending on the level of the offense, a criminal case may come before a common pleas, municipal, or county court in Ohio. Mayor's courts' jurisdiction is limited in scope. Only some matters involving a violation of local ordinances and state traffic laws may be brought before a mayor's court.

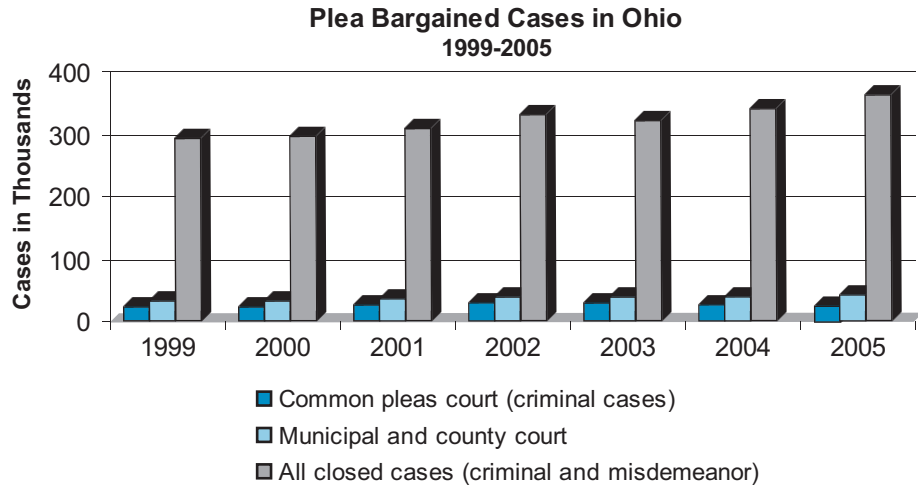
The judge's traditional role has evolved as the legal system has become increasingly involved in behavioral treatment for offenders.¹¹ This trend is exemplified in Ohio by the development of *specialized dockets*, such as drug, mental health, DUI/OMVI, domestic violence and reentry courts. Ohio is a national leader in specialized dockets and the demand and interest to establish specialized dockets is constantly increasing.

Ohio has the most experience with drug courts. Drug courts allow judges, in collaboration with treatment providers, to design individualized plans to treat offenders as part of the sentence. Since 1995, 74 drug courts in 37 counties have emerged in Ohio.



Source: Supreme Court of Ohio

Between 1999 and 2005, there was a 25 percent increase in Ohio’s municipal and county court cases where defendants pled guilty or no contest to a reduced charge. During the same period, common pleas courts experienced an 11 percent increase in these cases.¹² In 2005, pleas to a reduced charge accounted for 28 percent (25,329) of the total closed cases in common pleas courts, and 15 percent (40,641) of the total closed cases in municipal and county courts.¹³



Source: *Ohio Courts Summary, 1995-2005*, Supreme Court of Ohio

The sentencing structure in Ohio was revised by the Ohio Legislature in 1996 to require that judges set a specific sentence depending on the level of offense. Judges are allowed to sentence offenders either to prison or to one or more community sanctions.

Ohio Prison Sentences by Felony Level				
Felony Level	Range of Basic Prison Terms	Increments of Increasing Minimum	Repeat Violent Enhancement	Maximum Post-release Control
First degree	3 - 10 years	1 year	1 - 10 years	5 years
Second degree	2 - 8 years	1 year	1 - 10 years	3 years
Third degree	1 - 5 years	1 year	N/A	3 years
Fourth degree	6 - 18 months	1 month	N/A	3 years
Fifth degree	6 - 12 months	1 month	N/A	3 years

Source: Ohio Criminal Sentencing Commission

Adult Jails and Prisons in Ohio

During the 1980s and early 1990s, full-service jails experienced crowding and had long lists of people waiting to serve sentences. Due to the shortage of jail space, only the most serious offenders were housed in jail. As a result, some of the larger jurisdictions had difficulty getting misdemeanor and lower-level felony offenders to appear for trial. An increase in funding for jail construction has increased the capacity of Ohio’s jails.

Ohio's Average Daily Population in Jails								
	1998	1999	2000	2001	2002	2003	2004	2005
Full-service jails	14,959	15,951	16,113	16,664	17,445	17,275	18,469	19,953
Minimum security jails	735	704	719	762	683	687	699	641
12-day jails*	377	380	371	420	372	427	408	443
12-hour jails	29	43	51	51	37	23	18	15
Total	16,100	17,078	17,254	17,897	18,537	18,412	19,594	21,052
Increase by year		6.1%	1.0%	3.7%	3.6%	-0.7%	6.4%	7.4%

* Prior to 2005, these jails were operated as five-day jails.

Source: *Annual Jail Report*, Ohio Department of Rehabilitation and Correction

In 2005, full-service jails were at approximately 98 percent of actual capacity while minimum-security jails were at 81 percent of actual capacity. The national percent of jail capacity occupied that year was 95 percent.¹⁴ Jail populations in Ohio increased more rapidly than the national average,¹⁵ rising nearly 31 percent between 1998 and 2005.

Ohio's prison population is counted every year on July 1. Beginning in 1974, the prison population rose all but one year to a peak in 1998. The population then began to drop, due to changes in parole guidelines and the new sentencing structure.¹⁶ These sentencing changes, which were designed to reduce prison populations by incarcerating only those offenders who are a threat to public safety and increasing community programs for non-violent offenders, were passed in 1996. Following the policy changes, the population decreased from the high of 49,029 inmates in 1998 to a low of 44,134 inmates in 2004. However, the prison population began increasing in 2004 and reached 48,482 inmates on December 31, 2006.

The 1996 revisions of the sentencing structure were designed to reduce prison populations by incarcerating only those offenders who are a threat to public safety, and to increase community programs for non-violent offenders.

The Bureau of Research at ODRC completes an intensive intake study of all offenders committed during two months of each year to get a snapshot of who goes to prison.¹⁷ Most of the sample (97 percent) pled guilty at the time of their adjudication in 2005. Most of the male offenders had less than a high school education, were unemployed, were single, and had a history of substance abuse. Female offenders were nearly twice as likely as males to have a mental health problem. Females also indicated considerably more evidence of a history of physical and sexual abuse. In 2005, 59 percent of males and 74 percent of females were incarcerated on a determinate sentence of six to 12 months.

Prison Population as of July 1, 2006			
Felony Level	Female	Male	Total
Death	0%	<1%	<1%
Life	7%	11%	11%
First degree	17%	30%	29%
Second degree	17%	20%	20%
Third degree	21%	20%	20%
Fourth degree	14%	10%	11%
Fifth degree	24%	9%	10%

Source: Department of Rehabilitation and Correction

Ohio Sex Offender Registration and Notification (SORN)

The Ohio SORN Registry was started following the passage of legislation in 1997. The electronic SORN registry, which is accessible to the public, was started late in 2003 by the Ohio Attorney General. In January 2007, there were more than 15,000 entries in the public database. Ohio was rated the best registration and notification state in 2006 by the Notification is Prevention Foundation.¹⁸ Ohio was given the highest score in community notification, efficiency of the data, and accuracy of the data. The Ohio SORN database is connected to the National Sex Offender Registry. The types of registration are as follows:

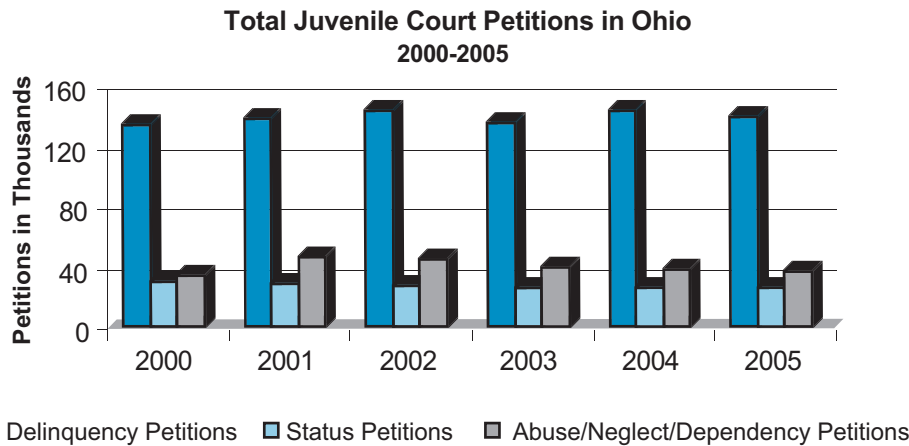
Sex Offenders by Registration Category November 2006	
Category	Percentage
Sex offense designations	
Sexually oriented offender	75%
Habitual sex offender without notification	2%
Habitual sex offender with notification	2%
Sexual predator	21%
Aggravated sexually oriented offense	< 1%
Child victim designations*	
Child victim offender	1%
Habitual child victim offender without notification	< 1%
Habitual child victim offender with notification	< 1%
Child victim predator	< 1%

* Child victim designations are for crimes where there is a child victim but no sexual motivation for the offense.

Source: Ohio Department of Rehabilitation and Correction

Juvenile Justice in Ohio

In 2005, there were approximately 139,804 delinquency petitions, 26,395 status petitions, and 36,362 abuse/neglect/dependency petitions processed through Ohio's juvenile courts. The graph on the following page illustrates the filings for Ohio's juvenile courts since 2000. Historically, the delinquency petitions represent a majority of the cases that are processed through the juvenile justice system.



Source: *Ohio Courts Summary 2000-2005*, Supreme Court of Ohio

In 1993, not only were Ohio's juvenile institutions crowded, but the number of juveniles being committed to the state was steadily increasing. The Ohio Department of Youth Services (ODYS), in partnership with the Ohio Association of Family and Juvenile Court Judges, created a comprehensive initiative to help aid local juvenile courts and their communities in administering and implementing graduated sanctions to better respond to the individualized needs of the adjudicated youth. RECLAIM Ohio (Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors) is a nationally recognized funding model that provides more local control to the individual juvenile courts and encourages the courts to develop or purchase a range of community-based options and interventions.

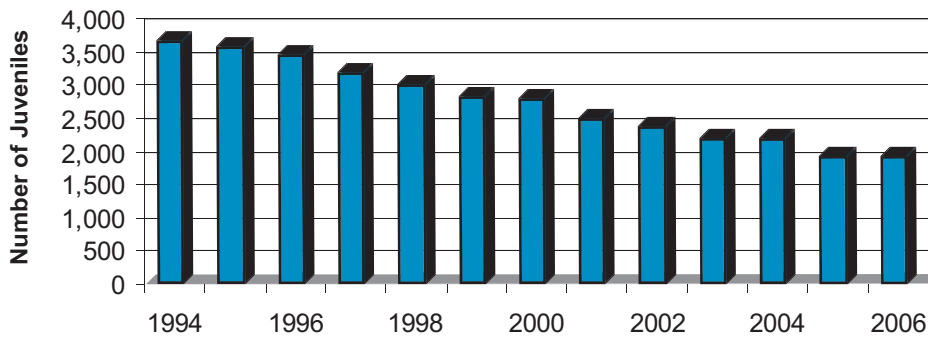
Each year, RECLAIM-funded programs provide services to many Ohio youth. Based on reported expenditures by the courts in FY 2005, the top program areas used were out-of-home placement, probation, intensive probation, restitution and community service, and diversion. Overall, the program has helped to significantly reduce the number of youth who are committed to ODYS institutions by 48 percent from when it began in January 1994 to 2005. The number of commitments has decreased from a high of 3,639 in 1994 to 1,880 in 2006.

An independent evaluation conducted by the University of Cincinnati has found RECLAIM Ohio and community correctional facility (CCF) programs to be cost effective when compared to placement in an ODYS institution. This 2005 study included 10,866 youth terminated from the 349 represented RECLAIM programs across the state, as well as 348 offenders served through 10 community correctional facilities. It found both to be effective in reducing recidivism among

their respective target populations. RECLAIM programs of shorter duration and less intensity were found to be more effective when serving lower- to moderate-risk youth. The study also found that the very-high-risk offenders performed better when placed in a CCF or ODYS facility.

The study concluded that the RECLAIM programs were cost effective alternatives for low- and moderate-risk youth who do not pose a significant threat to public safety. The costs associated with placement in a CCF (estimated at \$29,992 per youth) or ODYS facility (estimated at \$51,217 per youth) greatly exceeds the estimated cost of \$1,960 per youth for RECLAIM programming.¹⁹

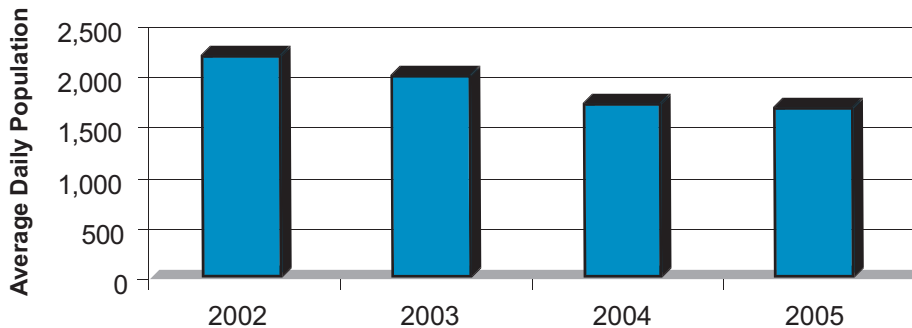
**Total Ohio Department of Youth Services Admissions
1994-2006**



Source: Ohio Department of Youth Services

ODYS coordinates parole services from six regional sites throughout Ohio: Akron, Cincinnati, Cleveland, Columbus, Dayton, and Toledo. On average, there were 1,662 youth on parole in FY 2005.

**Average Daily Population of DYS Youth
on Parole/Aftercare**



Source: Ohio Department of Youth Services

Endnotes

¹ FBI's *Crime in the United States*.

² Technically, the domestic violence statute does not apply to ex-spouses unless they are residing in the same household as the victim. However, in several instances, law enforcement arrested an ex-spouse under 2919.25, so it is included here.

³ Examples of restorative practices abound in history, but it was not until the mid-1970s that the thinkers in the restorative justice movement began to formalize the concept as a well-discerning theory.

⁴ *Restorative Justice On-Line Notebook*, <http://www.ojp.usdoj.gov/nij/publications/rest-just/>. Dr. Mark Umbreit, professor at the University of Minnesota, developed this working definition of restorative justice to explain a very complex approach, where the crime victim, offender, and the community stand in a "leveled playing field" to engage in a conversation to heal the wound made by the crime.

⁵ "Victims of criminal offenses shall be accorded fairness, dignity, and respect in the criminal justice process, and, as the Ohio General Assembly shall define and provide by law, shall be accorded rights to reasonable and appropriate notice, information, access, and protection and to a meaningful role in the criminal justice process. This section does not confer upon any person a right to appeal or modify any decision in a criminal proceeding, does not abridge any other right guaranteed by the Constitution of the United States or this constitution, and does not create any cause of action for compensation or damages against the state, any political subdivision of the state, and office, employee, or agent of the state or of any political subdivision, or any officer of the court." Article I, Section 10(a), Constitution of the State of Ohio.

⁶ ORC Section 2930.01(H)(I).

⁷ See <http://www.ovwa.org/> for other information and analysis of Ohio crime victims' rights.

⁸ ORC sections 2743.51 to 2743.72.

⁹ Attorney General's *Crime Victims Section Annual Report 2006*.

¹⁰ *Victim-Centered VOD, JUST Alternatives*, <http://www.justalternatives.org/vodsevere.html>. See also Umbreit, Mark S. and Jean Greenwood. *Guidelines for Victim-Sensitive Victim-Offender Mediation: Restorative Justice Through Dialogue, April 2000*, http://www.ojp.usdoj.gov/ovc/publications/infores/restorative_justice/restorative_justice_ascii_pdf/ncj176346.pdf.

¹¹ Wexler, David and Bruce J. Winick, *Putting Therapeutic Jurisprudence To Work: The Term May Sound Academic, But It Embodies A Hands-On Approach To Solving Problems Rather Than Simply Winning Cases*, 89 ABA J 54, May 2003.

¹² *Ohio Courts Summary*, Supreme Court of Ohio, 1999-2005, <http://www.sconet.state.oh.us/publications/default.asp>.

¹³ Id.

¹⁴ *Prison and Jail Inmates at Mid-Year 2005*, Bureau of Justice Statistics, May 2006.

¹⁵ *ibid.*

¹⁶ Ohio Department of Rehabilitation and Correction.

¹⁷ The Ohio Department of Rehabilitation and Correction annually collects detailed data on two months of intake to the state prison system. Over time, this data has been determined to be accurate for extrapolating to the full intake population.

¹⁸ *Annual Survey of States*, Notification is Prevention Foundation, April 2006.

¹⁹ Lowenkamp, Chris, and Latessa, Edward J., *Evaluation of Ohio's RECLAIM Funded Programs, Community Correctional Facilities, and DYS Facilities: Cost-Benefit Analysis Supplemental Report*. 2005.



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