

### MEMORANDUM

**To:** Sara Andrews, Director

**From:** Jo Ellen Cline, Criminal Justice Counsel

**Date:** October 5, 2016

**RE:** Summary of Bindover Proposal

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At its September 2016 meeting, the Ohio Criminal Sentencing Commission approved draft statutory changes to R.C. 2152.12 making changes regarding transfer of juveniles to adult court (bindovers). This memorandum summarizes the proposed language and its genesis.

#### Background

Under current law any juvenile is subject to transfer to adult court if the juvenile is 14 years old or older at the time of the offense and the offense charged is a felony. For some older juveniles (16 or 17 years old) charged with certain high level felonies, the transfer is mandatory. In all other cases, the juvenile court holds an amenability hearing to determine if the juvenile is amenable to rehabilitation in the juvenile system prior to transferring the case to the adult court.

In the event of a discretionary bindover, the juvenile court judge holds a hearing and considers enumerated factors making a determination whether the factors favoring transfer outweigh those against transfer. If the court determines that the juvenile should be transferred to adult court the juvenile court's jurisdiction ends.

In a mandatory bindover, the court only need to determine that the child meet age and offense eligibility along with probable cause that the child committed the offense and the juvenile court's jurisdiction ends. However, H.B. 86 instituted what has become known as a "reverse bindover" where the adult court, after the child is convicted, can return the child to the juvenile court for disposition or an amenability hearing. The child is then either sent back to the adult court for sentencing or the juvenile court keeps jurisdiction and makes a juvenile disposition. The process is dependent upon what charge the juvenile is convicted of in the adult court and whether the prosecutor seeks a re-return to the adult court. The theory behind the "reverse bindover" was that because the original charge was a mandatory bindover the juvenile judge did not have the opportunity to assess the juvenile's amenability for rehabilitation in the juvenile system.

If a final conviction in adult court is for an offense that would not have been a mandatory bindover originally then the case should be returned to juvenile court for an amenability determination.

Over the past few years the number of juveniles who have been transferred to adult court has fallen. According to data provided by the Ohio Department of Youth Services transfers from fallen from 297 in fiscal year 2006 to 159 in fiscal year 2015, a 53% decline over that time period. (See attached report). In fiscal year 2015 of the 159 transfers reported 88 were mandatory transfers.

Because practitioners and judges on the committee had experienced fewer transfers in recent years and the perceived complexity associated with “reverse bindovers”, the Juvenile Justice Committee of the Ohio Criminal Sentencing Commission undertook a review of R.C. 2152.10 and 2152.12 to identify ways to improve the current system.

### **Proposed Statutory Changes**

The proposed statutory changes eliminate the mandatory transfer of juveniles to adult court for certain crimes making all transfer decisions discretionary with the trial court.

In making the transfer decision, under current law, the court is directed to consider two sets of factors: one set that weighs in favor of transfer and another that weighs against transfer. Under the proposed revisions, the court is directed under new division (C) to consider several factors that take into account both previous sets but do not separate them into two sections. By combining the factors, the Commission hopes to eliminate a perceived tallying of factors for and against transfer in making the transfer decision.

The proposed statute retains the amenability consideration in making the transfer decision. (Division (B)). The proposal, however, allows for an immediate appeal of the amenability decision. Under current law, an appeal of whether the juvenile would be amenable to rehabilitation in the juvenile system would take place after the juvenile had already been transferred to adult court. Under the proposed language the amenability decision would be subject to an interlocutory appeal. As a part of this proposed change the Commission also recommends that R.C. 2505.02 be amended and suggests that the Ohio Rules of Appellate Procedure be amended by the Supreme Court of Ohio to make an appeal of an amenability determination an expedited matter.

Current division (F) is also deleted from 2152.20 because it applied when the case against a juvenile included both mandatory and discretionary transfer charges. Because the Commission’s intent is to make all transfers discretionary with the trial court, division (F) had no applicability under the proposal.



# OHIO

## CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

### **Conclusion**

During its discussion advocates of the proposed change indicated that allowing judges the discretion to determine if a juvenile should be transferred to adult court in all cases would allow the judge to take into account a host of factors that might lead to a juvenile's successful rehabilitation in the juvenile system. Advocates noted that it has been well-documented that children are different, that their brains are not yet fully developed, and that they are more likely to be rehabilitated than their adult counterparts. The likelihood of successful outcomes, however, decreases substantially when the child is subjected to the adult system. Opponents of the recommended changes indicated concern that the interlocutory appeal process would prolong the case for the victim and increase the workload of the appellate courts. Following discussion, the Commission voted in favor of the recommendation and proposed language 12 – 5 (Dobson, Devine, Marcelain, Alexander, Baker-Morrish).

### **2152.10 ~~Mandatory and discretionary transfers~~ Transfers.**

~~(A) A child who is alleged to be a delinquent child is eligible for mandatory transfer and shall be transferred as provided in section 2152.12 of the Revised Code in any of the following circumstances:~~

~~(1) The child is charged with a category one offense and either of the following apply:~~

~~(a) The child was sixteen years of age or older at the time of the act charged.~~

~~(b) The child was fourteen or fifteen years of age at the time of the act charged and previously was adjudicated a delinquent child for committing an act that is a category one or category two offense and was committed to the legal custody of the department of youth services upon the basis of that adjudication.~~

~~(2) The child is charged with a category two offense, other than a violation of section 2905.01 of the Revised Code, the child was sixteen years of age or older at the time of the commission of the act charged, and either or both of the following apply:~~

~~(a) The child previously was adjudicated a delinquent child for committing an act that is a category one or a category two offense and was committed to the legal custody of the department of youth services on the basis of that adjudication.~~

~~(b) The child is alleged to have had a firearm on or about the child's person or under the child's control while committing the act charged and to have displayed the firearm, brandished the firearm, indicated possession of the firearm, or used the firearm to facilitate the commission of the act charged.~~

~~(3) Division (A)(2) of section 2152.12 of the Revised Code applies.~~

~~(B) Unless the child is subject to mandatory transfer, if~~ If a child is fourteen years of age or older at the time of the act charged and if the child is charged with an act that would be a felony if committed by an adult, the child is eligible for ~~discretionary~~ transfer to the appropriate court for criminal prosecution. In determining whether to transfer the child for criminal prosecution, the juvenile court shall follow the procedures in section 2152.12 of the Revised Code. If the court does not transfer the child and if the court adjudicates the child to be a delinquent child for the act charged, the court shall issue an order of disposition in accordance with ~~section 2152.11~~ this chapter of the Revised Code.

### **2152.12 Transfer of cases.**

~~(A) (1) (a) After a complaint has been filed alleging that a child is a delinquent child for committing an act that would be aggravated murder, murder, attempted aggravated~~

~~murder, or attempted murder if committed by an adult, the juvenile court at a hearing shall transfer the case if either of the following applies:~~

~~(i) The child was sixteen or seventeen years of age at the time of the act charged and there is probable cause to believe that the child committed the act charged.~~

~~(ii) The child was fourteen or fifteen years of age at the time of the act charged, section 2152.10 of the Revised Code provides that the child is eligible for mandatory transfer, and there is probable cause to believe that the child committed the act charged.~~

~~(b) After a complaint has been filed alleging that a child is a delinquent child by reason of committing a category two offense, the juvenile court at a hearing shall transfer the case if the child was sixteen or seventeen years of age at the time of the act charged and either of the following applies:~~

~~(i) Division (A)(2)(a) of section 2152.10 of the Revised Code requires the mandatory transfer of the case, and there is probable cause to believe that the child committed the act charged.~~

~~(ii) Division (A)(2)(b) of section 2152.10 of the Revised Code requires the mandatory transfer of the case, and there is probable cause to believe that the child committed the act charged.~~

~~(2) The juvenile court also shall transfer a case in the circumstances described in division (C)(5) of section 2152.02 of the Revised Code or if either of the following applies:~~

~~(a) A complaint is filed against a child who is eligible for a discretionary transfer under section 2152.10 of the Revised Code and who previously was convicted of or pleaded guilty to a felony in a case that was transferred to a criminal court.~~

~~(b) A complaint is filed against a child who is domiciled in another state alleging that the child is a delinquent child for committing an act that would be a felony if committed by an adult, and, if the act charged had been committed in that other state, the child would be subject to criminal prosecution as an adult under the law of that other state without the need for a transfer of jurisdiction from a juvenile, family, or similar noncriminal court to a criminal court.~~

~~(3) If a complaint is filed against a child alleging that the child is a delinquent child and the case is transferred pursuant to division (A)(1)(a)(i) or (A)(1)(b)(ii) of this section and if the child subsequently is convicted of or pleads guilty to an offense in that case, the sentence to be imposed or disposition to be made of the child shall be determined in accordance with section 2152.121 of the Revised Code.~~

~~(B) Except as provided in division (A) of this section, after~~ After a complaint has been filed alleging that a child is a delinquent child for committing an act that would be a felony if committed by an adult, the juvenile court at a hearing may transfer the case if the court finds all of the following:

(1) The child was fourteen years of age or older at the time of the act charged.

(2) There is probable cause to believe that the child committed the act charged.

(3) The child is not amenable to care or rehabilitation within the juvenile system, and the safety of the community may require that the child be subject to adult sanctions. In making its decision under this division, the court shall consider ~~whether~~ the applicable factors under division ~~(D)~~ (C) of this section ~~indicating that the case should be transferred outweigh the applicable factors under division (E) of this section indicating that the case should not be transferred. The record shall indicate the specific factors that were applicable and that the court weighed.~~

~~(C)~~ (B) Before considering a transfer under division ~~(B)~~ (A) of this section, the juvenile court shall order an investigation into the child's social history, education, family situation, and any other factor bearing on whether the child is amenable to juvenile rehabilitation, including a mental examination of the child by a public or private agency or a person qualified to make the examination. The investigation shall be completed and a report on the investigation shall be submitted to the court as soon as possible but not more than forty-five calendar days after the court orders the investigation. The court may grant one or more extensions for a reasonable length of time. The child may waive the examination required by this division if the court finds that the waiver is competently and intelligently made. Refusal to submit to a mental examination by the child constitutes a waiver of the examination.

~~(D)~~ (C) In considering whether to transfer a child under division ~~(B)~~ (A) of this section, the juvenile court shall consider the following relevant factors, ~~and any other relevant factors, in favor of a transfer under that division:~~

(1) ~~The victim of the act charged suffered physical or psychological harm, or serious economic harm, as a result of the alleged act~~ The risk level of the child as determined by a standardized, evidence-based risk assessment tool as endorsed by the department of youth services and administered by a trained court professional.

(2) ~~The physical or psychological harm suffered by the victim due to the alleged act of the child was exacerbated because of the physical or psychological vulnerability or the age of the victim~~ The level of harm to the victim in the alleged act of the child, including:

(a) The level of physical, psychological, or serious economic harm suffered by the victim or whether the child did not cause physical harm to any person or property, or have reasonable cause to believe that harm of that nature would occur;

(b) Whether the physical or psychological harm suffered by the victim was exacerbated because of the physical or psychological vulnerability or age of the victim.

~~(3) The child's relationship with the victim facilitated the act charged~~ The role of the victim, including:

(a) Whether the child's relationship with the victim facilitated the act charged;

(b) Whether the victim induced or facilitated the act charged or the child acted under provocation in allegedly committing the act charged.

~~(4) The child allegedly committed the act charged for hire or as a part of a gang or other organized criminal activity~~ The circumstances of the offense, including:

(a) The child was not the principle actor in the act charged, or, at the time of the act charged, the child was under the negative influence or coercion of another person;

(b) The child allegedly committed the act charged for hire or as part of a gang;

(c) The child did or did not have a firearm on or about the child's person or under the child's control at the time of the act charged, the act charged is not a violation of section 2923.12 of the Revised Code, and the child, during the commission of the act charged, allegedly used or displayed the firearm, brandished the firearm, or indicated that the child possessed a firearm.

~~(5) The child had a firearm on or about the child's person or under the child's control at the time of the act charged, the act charged is not a violation of section 2923.12 of the Revised Code, and the child, during the commission of the act charged, allegedly used or displayed the firearm, brandished the firearm, or indicated that the child possessed a firearm~~ The child's prior experience in the juvenile court, including the presence or lack of any prior or current cases and rehabilitative efforts by the juvenile court and the availability of a reasonable and appropriate juvenile sanction or program that has not yet been utilized.

~~(6) At the time of the act charged, the child was awaiting adjudication or disposition as a delinquent child, was under a community control sanction, or was on parole for a prior delinquent child adjudication or conviction~~

~~(7) The results of any previous juvenile sanctions and programs indicate that rehabilitation of the child will not occur in the juvenile system. The child's individual developmental characteristics, including whether:~~

~~(a) The child is emotionally, physically, or psychologically mature enough for transfer;~~

~~(b) The child has a behavioral health issue, including a mental illness, substance abuse disorder, or developmental disability;~~

~~(c) The child's background, including family and environment, and trauma history; and~~

~~(d) There is sufficient time to rehabilitate the child within the juvenile system.~~

~~(8) The child is emotionally, physically, or psychologically mature enough for the transfer.~~

~~(9) There is not sufficient time to rehabilitate the child within the juvenile system.~~

~~(E) In considering whether to transfer a child under division (B) of this section, the juvenile court shall consider the following relevant factors, and any other relevant factors, against a transfer under that division:~~

~~(1) The victim induced or facilitated the act charged.~~

~~(2) The child acted under provocation in allegedly committing the act charged.~~

~~(3) The child was not the principal actor in the act charged, or, at the time of the act charged, the child was under the negative influence or coercion of another person.~~

~~(4) The child did not cause physical harm to any person or property, or have reasonable cause to believe that harm of that nature would occur, in allegedly committing the act charged.~~

~~(5) The child previously has not been adjudicated a delinquent child.~~

~~(6) The child is not emotionally, physically, or psychologically mature enough for the transfer.~~

~~(7) The child has a mental illness or is a mentally retarded person.~~

~~(8) There is sufficient time to rehabilitate the child within the juvenile system and the level of security available in the juvenile system provides a reasonable assurance of public safety.~~

~~(F) If one or more complaints are filed alleging that a child is a delinquent child for committing two or more acts that would be offenses if committed by an adult, if a motion is made alleging that division (A) of this section applies and requires that the case or cases involving one or more of the acts charged be transferred for, and if a motion also is made requesting that the case or cases involving one or more of the acts charged be transferred pursuant to division (B) of this section, the juvenile court, in deciding the motions, shall proceed in the following manner:~~

~~(1) Initially, the court shall decide the motion alleging that division (A) of this section applies and requires that the case or cases involving one or more of the acts charged be transferred.~~

~~(2) If the court determines that division (A) of this section applies and requires that the case or cases involving one or more of the acts charged be transferred, the court shall transfer the case or cases in accordance with that division. After the transfer pursuant to division (A) of this section, the court shall decide, in accordance with division (B) of this section, whether to grant the motion requesting that the case or cases involving one or more of the acts charged be transferred pursuant to that division. Notwithstanding division (B) of this section, prior to transferring a case pursuant to division (A) of this section, the court is not required to consider any factor specified in division (D) or (E) of this section or to conduct an investigation under division (C) of this section.~~

~~(3) If the court determines that division (A) of this section does not require that the case or cases involving one or more of the acts charged be transferred, the court shall decide in accordance with division (B) of this section whether to grant the motion requesting that the case or cases involving one or more of the acts charged be transferred pursuant to that division.~~

~~(4) No report on an investigation conducted pursuant to division (C) of this section shall include details of the alleged offense as reported by the child.~~

~~(G) (D)~~ The court shall give notice in writing of the time, place, and purpose of any hearing held pursuant to division (A) ~~or (B)~~ of this section to the child's parents, guardian, or other custodian and to the child's counsel at least three days prior to the hearing.

(E) A child who has been found not amenable to care or rehabilitation within the juvenile system under division (B) of this section has a right to appeal the transfer under R.C. 2505.02(B)(8). Upon issuing the order for transfer, the juvenile court shall immediately stay the transfer for a period of fourteen days, unless waived by the child.

~~(H) (F)~~ No person, either before or after reaching eighteen years of age, shall be prosecuted as an adult for an offense committed prior to becoming eighteen years of

age, unless the person has been transferred as provided in division (A) ~~or (B)~~ of this section or unless division ~~(J)~~ (H) of this section applies. Any prosecution that is had in a criminal court on the mistaken belief that the person who is the subject of the case was eighteen years of age or older at the time of the commission of the offense shall be deemed a nullity, and the person shall not be considered to have been in jeopardy on the offense.

~~(J)~~ (G) Upon the transfer of a case under division (A) ~~or (B)~~ of this section, the juvenile court shall state the reasons for the transfer on the record, and shall order the child to enter into a recognizance with good and sufficient surety for the child's appearance before the appropriate court for any disposition that the court is authorized to make for a similar act committed by an adult. The transfer abates the jurisdiction of the juvenile court with respect to the delinquent acts alleged in the complaint, and, upon the transfer, all further proceedings pertaining to the act charged shall be discontinued in the juvenile court, and the case then shall be within the jurisdiction of the court to which it is transferred as described in division (H) of section 2151.23 of the Revised Code.

~~(J)~~ (H) If a person under eighteen years of age allegedly commits an act that would be a felony if committed by an adult and if the person is not taken into custody or apprehended for that act until after the person attains twenty-one years of age, the juvenile court does not have jurisdiction to hear or determine any portion of the case charging the person with committing that act. In those circumstances, ~~divisions~~ division (A) ~~and (B)~~ of this section ~~do~~ does not apply regarding the act, and the case charging the person with committing the act shall be a criminal prosecution commenced and heard in the appropriate court having jurisdiction of the offense as if the person had been eighteen years of age or older when the person committed the act. All proceedings pertaining to the act shall be within the jurisdiction of the court having jurisdiction of the offense, and that court has all the authority and duties in the case as it has in other criminal cases in that court.

#### **2505.02 Final orders.**

(A) As used in this section:

(1) "Substantial right" means a right that the United States Constitution, the Ohio Constitution, a statute, the common law, or a rule of procedure entitles a person to enforce or protect.

(2) "Special proceeding" means an action or proceeding that is specially created by statute and that prior to 1853 was not denoted as an action at law or a suit in equity.

(3) "Provisional remedy" means a proceeding ancillary to an action, including, but not limited to, a proceeding for a preliminary injunction, attachment, discovery of privileged

matter, suppression of evidence, a prima-facie showing pursuant to section 2307.85 or 2307.86 of the Revised Code, a prima-facie showing pursuant to section 2307.92 of the Revised Code, or a finding made pursuant to division (A)(3) of section 2307.93 of the Revised Code.

(B) An order is a final order that may be reviewed, affirmed, modified, or reversed, with or without retrial, when it is one of the following:

(1) An order that affects a substantial right in an action that in effect determines the action and prevents a judgment;

(2) An order that affects a substantial right made in a special proceeding or upon a summary application in an action after judgment;

(3) An order that vacates or sets aside a judgment or grants a new trial;

(4) An order that grants or denies a provisional remedy and to which both of the following apply:

(a) The order in effect determines the action with respect to the provisional remedy and prevents a judgment in the action in favor of the appealing party with respect to the provisional remedy.

(b) The appealing party would not be afforded a meaningful or effective remedy by an appeal following final judgment as to all proceedings, issues, claims, and parties in the action.

(5) An order that determines that an action may or may not be maintained as a class action;

(6) An order determining the constitutionality of any changes to the Revised Code made by Am. Sub. S.B. 281 of the 124th general assembly, including the amendment of sections 1751.67, 2117.06, 2305.11, 2305.15, 2305.234, 2317.02, 2317.54, 2323.56, 2711.21, 2711.22, 2711.23, 2711.24, 2743.02, 2743.43, 2919.16, 3923.63, 3923.64, 4705.15, and 5111.018 (renumbered as 5164.07 by H.B. 59 of the 130th general assembly), and the enactment of sections 2305.113, 2323.41, 2323.43, and 2323.55 of the Revised Code or any changes made by Sub. S.B. 80 of the 125th general assembly, including the amendment of sections 2125.02, 2305.10, 2305.131, 2315.18, 2315.19, and 2315.21 of the Revised Code;

(7) An order in an appropriation proceeding that may be appealed pursuant to division (B)(3) of section 163.09 of the Revised Code.

(8) An order for transfer pursuant to R.C. 2152.10.

(C) When a court issues an order that vacates or sets aside a judgment or grants a new trial, the court, upon the request of either party, shall state in the order the grounds upon which the new trial is granted or the judgment vacated or set aside.

(D) This section applies to and governs any action, including an appeal, that is pending in any court on July 22, 1998, and all claims filed or actions commenced on or after July 22, 1998, notwithstanding any provision of any prior statute or rule of law of this state.



Department of  
Youth Services

# Profile of Youth Transferred to Adult Court

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Fiscal Year 2015

John R. Kasich  
Governor

March 2016

Harvey J. Reed  
Director

## **Preface**

This Profile of Youth Transferred to Adult Court was created with data obtained from the List of Youth Transferred to Adult Court reports submitted monthly to the Department of Youth Services by the 88 county juvenile courts. This report profiles the youth transferred to Ohio's adult courts. In this report, each youth is counted once per year per transferring county, regardless of the number of transfers for an individual youth.

The Department of Youth Services wishes to thank the 88 county juvenile courts for their cooperation in the submission of this information. Any questions regarding the contents of this report should be directed to Shawna Leffler.

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**YOUTH TRANSFERRED TO ADULT COURT FY 2006 - FY 2015**

<b>County</b>	<b>FY06</b>	<b>FY07</b>	<b>FY08</b>	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>	<b>FY12</b>	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>
Adams	0	0	0	0	0	0	0	0	0	0
Allen	1	1	1	3	0	2	2	1	0	3
Ashland	0	1	1	1	1	0	0	0	2	0
Ashtabula	1	0	0	1	0	0	0	0	0	0
Athens	1	2	0	5	1	1	0	0	0	0
Auglaize	1	0	0	0	0	1	0	0	0	0
Belmont	0	0	0	0	0	0	0	0	0	0
Brown	0	0	3	0	0	0	0	0	0	0
Butler	18	18	16	13	16	10	5	6	2	4
Carroll	0	0	0	0	0	0	0	0	0	0
Champaign	0	0	0	0	0	0	0	0	0	0
Clark	12	9	10	8	24	12	4	3	1	3
Clermont	0	0	1	0	0	1	1	0	0	1
Clinton	0	1	4	0	0	1	0	0	0	0
Columbiana	1	1	0	0	0	0	0	0	0	0
Coshocton	0	0	0	0	0	0	0	1	0	0
Crawford	3	0	0	0	1	0	0	0	0	0
Cuyahoga	35	62	85	89	66	86	46	46	50	52
Darke	0	0	1	0	0	1	0	0	0	0
Defiance	0	1	0	1	2	0	0	0	0	0
Delaware	0	1	1	0	0	0	0	0	1	0
Erie	0	1	2	3	1	0	3	1	5	1
Fairfield	2	1	1	3	1	1	0	1	0	1
Fayette	2	1	0	0	0	0	0	0	0	0
Franklin	42	40	37	44	34	33	34	23	21	24
Fulton	0	1	0	0	1	0	0	0	0	0
Gallia	0	0	0	0	0	0	0	0	0	0
Geauga	0	1	0	0	0	0	1	0	1	0
Greene	0	1	0	5	5	0	0	0	0	0
Guernsey	2	0	0	0	3	0	0	1	0	1
Hamilton	67	67	68	68	60	51	34	24	25	16
Hancock	2	5	0	2	0	1	2	1	1	0
Hardin	0	0	0	0	0	0	0	0	0	1
Harrison	0	0	0	0	0	0	0	0	0	0
Henry	0	0	1	0	0	0	0	0	0	0
Highland	1	0	0	0	1	0	0	0	0	0
Hocking	0	0	0	0	0	0	0	0	0	0
Holmes	0	0	0	0	0	0	1	0	0	0
Huron	0	0	1	0	0	0	0	1	0	0
Jackson	0	0	0	0	0	0	0	0	0	0
Jefferson	0	0	1	2	2	1	0	1	2	0
Knox	0	0	0	0	0	0	0	0	0	0
Lake	0	0	0	0	0	0	0	0	1	0
Lawrence	0	0	0	0	0	0	0	0	0	0
Licking	0	3	7	0	0	1	0	1	2	3
Logan	1	0	0	0	0	0	0	1	0	0

**YOUTH TRANSFERRED TO ADULT COURT FY 2006 - FY 2015**

<b>County</b>	<b>FY06</b>	<b>FY07</b>	<b>FY08</b>	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>	<b>FY12</b>	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>
Lorain	11	12	8	13	6	7	6	4	1	5
Lucas	18	4	6	17	12	8	9	5	1	7
Madison	0	0	0	0	0	0	0	0	0	0
Mahoning	5	1	4	7	4	4	6	5	2	5
Marion	16	15	7	12	3	0	0	0	3	0
Medina	0	0	0	1	0	0	0	0	1	1
Meigs	0	0	0	0	0	0	0	0	0	0
Mercer	0	1	0	1	0	0	0	1	0	0
Miami	1	2	0	0	0	1	0	0	4	0
Monroe	0	0	0	0	0	0	0	0	0	0
Montgomery	11	19	13	19	22	19	16	13	10	13
Morgan	0	0	0	1	0	0	0	0	0	0
Morrow	0	0	2	0	0	1	0	1	0	0
Muskingum	2	0	1	0	0	1	2	0	0	0
Noble	0	0	0	0	0	0	1	0	0	0
Ottawa	0	0	0	0	0	1	0	0	0	0
Paulding	0	0	0	0	0	0	0	0	0	0
Perry	0	0	1	0	0	0	0	0	0	0
Pickaway	0	0	0	3	0	0	0	0	2	1
Pike	0	0	0	1	0	0	0	0	0	0
Portage	0	0	1	1	4	1	0	0	0	2
Preble	1	1	5	2	6	3	1	0	0	1
Putnam	0	0	0	0	0	0	0	0	0	0
Richland	0	3	2	0	0	3	4	0	1	1
Ross	1	4	1	2	1	0	1	0	0	0
Sandusky	1	0	0	0	0	0	0	0	0	0
Scioto	2	1	1	2	4	1	0	0	0	0
Seneca	1	0	0	0	0	1	2	0	2	1
Shelby	3	1	2	1	0	2	0	2	0	0
Stark	2	8	1	3	4	3	4	4	6	3
Summit	20	17	20	22	17	23	19	15	10	9
Trumbull	2	0	0	0	0	0	0	0	0	0
Tuscarawas	0	0	0	0	0	0	0	0	0	0
Union	0	0	0	0	0	0	0	0	0	0
Van Wert	3	1	1	1	0	0	0	0	0	0
Vinton	0	0	0	0	0	0	0	0	0	0
Warren	2	2	0	0	0	0	0	0	0	0
Washington	0	0	0	0	0	0	0	0	0	0
Wayne	0	4	1	4	0	1	0	0	0	0
Williams	0	0	1	0	0	0	0	0	0	0
Wood	3	1	0	1	1	0	1	1	1	0
Wyandot	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>297</b>	<b>315</b>	<b>319</b>	<b>362</b>	<b>303</b>	<b>283</b>	<b>205</b>	<b>163</b>	<b>158</b>	<b>159</b>

**FY 2015**  
**State of Ohio**  
**Youth Transferred to Adult Court**

	#	%
<b>Age</b>		
14	0	0.0%
15	1	0.6%
16	34	21.4%
17	74	46.5%
18	38	23.9%
19	8	5.0%
20+	4	2.5%
<b>Sex</b>		
Male	153	96.2%
Female	6	3.8%
<b>Race</b>		
Black	138	86.8%
White	18	11.3%
Other	3	1.9%
<b>Felony Degree</b>		
AM/MU	13	8.2%
1	107	67.3%
2	26	16.4%
3	5	3.1%
4	7	4.4%
5	1	0.6%
<b>Total</b>	<b>159</b>	

**FY 2015**  
**PROFILE OF YOUTH TRANSFERRED TO ADULT COURT**

	ALLEN COUNTY		BUTLER COUNTY		CLARK COUNTY		CLERMONT COUNTY	
	#	%	#	%	#	%	#	%
<b>Age</b>								
14	0	0.0%	0	0.0%	0	0.0%	0	0.0%
15	0	0.0%	0	0.0%	0	0.0%	0	0.0%
16	0	0.0%	1	25.0%	0	0.0%	1	100.0%
17	0	0.0%	3	75.0%	2	66.7%	0	0.0%
18	3	100.0%	0	0.0%	1	33.3%	0	0.0%
19	0	0.0%	0	0.0%	0	0.0%	0	0.0%
20+	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Sex</b>								
Male	3	100.0%	4	100.0%	3	100.0%	1	100.0%
Female	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Race</b>								
Black	3	100.0%	2	50.0%	1	33.3%	1	100.0%
White	0	0.0%	1	25.0%	2	66.7%	0	0.0%
Other	0	0.0%	1	25.0%	0	0.0%	0	0.0%
<b>Felony Degree</b>								
AM/MU	0	0.0%	0	0.0%	0	0.0%	0	0.0%
1	2	66.7%	3	75.0%	2	66.7%	1	100.0%
2	1	33.3%	1	25.0%	1	33.3%	0	0.0%
3	0	0.0%	0	0.0%	0	0.0%	0	0.0%
4	0	0.0%	0	0.0%	0	0.0%	0	0.0%
5	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Totals</b>	<b>3</b>		<b>4</b>		<b>3</b>		<b>1</b>	

## FY 2015 PROFILE OF YOUTH TRANSFERRED TO ADULT COURT

	CUYAHOGA COUNTY		ERIE COUNTY		FAIRFIELD COUNTY		FRANKLIN COUNTY	
	#	%	#	%	#	%	#	%
<b>Age</b>								
14	0	0.0%	0	0.0%	0	0.0%	0	0.0%
15	0	0.0%	0	0.0%	0	0.0%	0	0.0%
16	14	26.9%	0	0.0%	0	0.0%	3	12.5%
17	28	53.8%	0	0.0%	0	0.0%	8	33.3%
18	5	9.6%	1	100.0%	1	100.0%	9	37.5%
19	3	5.8%	0	0.0%	0	0.0%	3	12.5%
20+	2	3.8%	0	0.0%	0	0.0%	1	4.2%
<b>Sex</b>								
Male	50	96.2%	1	100.0%	1	100.0%	23	95.8%
Female	2	3.8%	0	0.0%	0	0.0%	1	4.2%
<b>Race</b>								
Black	51	98.1%	1	100.0%	0	0.0%	23	95.8%
White	1	1.9%	0	0.0%	1	100.0%	1	4.2%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Felony Degree</b>								
AM/MU	2	3.8%	0	0.0%	0	0.0%	1	4.2%
1	42	80.8%	0	0.0%	0	0.0%	15	62.5%
2	5	9.6%	1	100.0%	0	0.0%	5	20.8%
3	1	1.9%	0	0.0%	0	0.0%	1	4.2%
4	2	3.8%	0	0.0%	1	100.0%	2	8.3%
5	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Totals</b>	<b>52</b>		<b>1</b>		<b>1</b>		<b>24</b>	

## FY 2015 PROFILE OF YOUTH TRANSFERRED TO ADULT COURT

	GUERNSEY COUNTY		HAMILTON COUNTY		HARDIN COUNTY		LICKING COUNTY	
	#	%	#	%	#	%	#	%
<b>Age</b>								
14	0	0.0%	0	0.0%	0	0.0%	0	0.0%
15	0	0.0%	1	6.3%	0	0.0%	0	0.0%
16	1	100.0%	7	43.8%	0	0.0%	1	33.3%
17	0	0.0%	3	18.8%	0	0.0%	2	66.7%
18	0	0.0%	4	25.0%	1	100.0%	0	0.0%
19	0	0.0%	1	6.3%	0	0.0%	0	0.0%
20+	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Sex</b>								
Male	1	100.0%	16	100.0%	1	100.0%	3	100.0%
Female	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Race</b>								
Black	1	100.0%	15	93.8%	0	0.0%	2	66.7%
White	0	0.0%	1	6.3%	1	100.0%	1	33.3%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Felony Degree</b>								
AM/MU	0	0.0%	5	31.3%	0	0.0%	0	0.0%
1	0	0.0%	10	62.5%	1	100.0%	2	66.7%
2	0	0.0%	1	6.3%	0	0.0%	1	33.3%
3	1	100.0%	0	0.0%	0	0.0%	0	0.0%
4	0	0.0%	0	0.0%	0	0.0%	0	0.0%
5	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Totals</b>	1		16		1		3	

## FY 2015 PROFILE OF YOUTH TRANSFERRED TO ADULT COURT

	LORAIN COUNTY		LUCAS COUNTY		MAHONING COUNTY		MEDINA COUNTY	
	#	%	#	%	#	%	#	%
<b>Age</b>								
14	0	0.0%	0	0.0%	0	0.0%	0	0.0%
15	0	0.0%	0	0.0%	0	0.0%	0	0.0%
16	0	0.0%	0	0.0%	0	0.0%	0	0.0%
17	4	80.0%	5	71.4%	0	0.0%	0	0.0%
18	1	20.0%	2	28.6%	5	100.0%	1	100.0%
19	0	0.0%	0	0.0%	0	0.0%	0	0.0%
20+	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Sex</b>								
Male	5	100.0%	6	85.7%	5	100.0%	1	100.0%
Female	0	0.0%	1	14.3%	0	0.0%	0	0.0%
<b>Race</b>								
Black	4	80.0%	6	85.7%	5	100.0%	0	0.0%
White	1	20.0%	1	14.3%	0	0.0%	1	100.0%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Felony Degree</b>								
AM/MU	1	20.0%	0	0.0%	3	60.0%	0	0.0%
1	0	0.0%	5	71.4%	2	40.0%	0	0.0%
2	2	40.0%	2	28.6%	0	0.0%	1	100.0%
3	0	0.0%	0	0.0%	0	0.0%	0	0.0%
4	1	20.0%	0	0.0%	0	0.0%	0	0.0%
5	1	20.0%	0	0.0%	0	0.0%	0	0.0%
<b>Totals</b>	<b>5</b>		<b>7</b>		<b>5</b>		<b>1</b>	

## FY 2015 PROFILE OF YOUTH TRANSFERRED TO ADULT COURT

	MONTGOMERY COUNTY		PICKAWAY COUNTY		PORTAGE COUNTY		PREBLE COUNTY	
	#	%	#	%	#	%	#	%
<b>Age</b>								
14	0	0.0%	0	0.0%	0	0.0%	0	0.0%
15	0	0.0%	0	0.0%	0	0.0%	0	0.0%
16	5	38.5%	0	0.0%	0	0.0%	0	0.0%
17	7	53.8%	1	100.0%	1	50.0%	1	100.0%
18	0	0.0%	0	0.0%	1	50.0%	0	0.0%
19	1	7.7%	0	0.0%	0	0.0%	0	0.0%
20+	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Sex</b>								
Male	13	100.0%	1	100.0%	2	100.0%	1	100.0%
Female	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Race</b>								
Black	12	92.3%	1	100.0%	2	100.0%	0	0.0%
White	1	7.7%	0	0.0%	0	0.0%	1	100.0%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Felony Degree</b>								
AM/MU	0	0.0%	0	0.0%	0	0.0%	0	0.0%
1	8	61.5%	0	0.0%	2	100.0%	0	0.0%
2	3	23.1%	1	100.0%	0	0.0%	0	0.0%
3	2	15.4%	0	0.0%	0	0.0%	0	0.0%
4	0	0.0%	0	0.0%	0	0.0%	1	100.0%
5	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Totals</b>	13		1		2		1	

## FY 2015 PROFILE OF YOUTH TRANSFERRED TO ADULT COURT

	RICHLAND COUNTY		SENECA COUNTY		STARK COUNTY		SUMMIT COUNTY	
	#	%	#	%	#	%	#	%
<b>Age</b>								
14	0	0.0%	0	0.0%	0	0.0%	0	0.0%
15	0	0.0%	0	0.0%	0	0.0%	0	0.0%
16	0	0.0%	0	0.0%	0	0.0%	1	11.1%
17	1	100.0%	1	100.0%	3	100.0%	4	44.4%
18	0	0.0%	0	0.0%	0	0.0%	3	33.3%
19	0	0.0%	0	0.0%	0	0.0%	0	0.0%
20+	0	0.0%	0	0.0%	0	0.0%	1	11.1%
<b>Sex</b>								
Male	1	100.0%	0	0.0%	3	100.0%	8	88.9%
Female	0	0.0%	1	100.0%	0	0.0%	1	11.1%
<b>Race</b>								
Black	0	0.0%	0	0.0%	3	100.0%	5	55.6%
White	0	0.0%	1	100.0%	0	0.0%	3	33.3%
Other	1	100.0%	0	0.0%	0	0.0%	1	11.1%
<b>Felony Degree</b>								
AM/MU	0	0.0%	0	0.0%	0	0.0%	1	11.1%
1	1	100.0%	1	100.0%	3	100.0%	7	77.8%
2	0	0.0%	0	0.0%	0	0.0%	1	11.1%
3	0	0.0%	0	0.0%	0	0.0%	0	0.0%
4	0	0.0%	0	0.0%	0	0.0%	0	0.0%
5	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Totals</b>	1		1		3		9	

Fiscal Year 2015 Bindovers (as reported by the courts)

Offense	Mandatory	Not Mandatory	Total
Agg Murder	5	1	6
Agg Murder-Attempt	1	0	1
Murder	15	2	17
Murder-Attempt	9	0	9
Involuntary Manslaughter	0	3	3
Reckless Homicide	0	1	1
Fel Assault	1	2	3
Assault	0	1	1
Kidnapping	1	1	2
Rape	2	5	7
Agg Robbery	46	14	60
Robbery	1	4	5
Agg Burglary	0	1	1
Agg Burglary-Complicity	0	1	1
Burglary	0	12	12
Breaking and Entering	1	0	1
Theft	1	1	2
RSP	0	1	1
Failure to Comply	0	1	1
Escape	0	4	4
Weapon Under Disability	0	1	1
Improperly Handling Firearms MV	0	2	2
Disrupting Public Service	0	1	1
Engaging in Corrupt Activity	4	10	14
Participating in Criminal Gang	1	1	2
Drug Possession	0	1	1
Total	88	71	159

## Fiscal Year 2014 Bindovers

(as reported by the courts)

	Mandatory	Not Mandatory	Total
Agg Murder	17	2	19
Agg Murder-Attempt	2	0	2
Murder	17	2	19
Murder-Attempt	4	0	4
Fel Assault	2	5	7
Assault	0	2	2
Kidnapping	1	1	2
Rape	3	4	7
Agg Arson-Complicity	0	1	1
Agg Robbery	53	7	60
Robbery	1	4	5
Agg Burglary	2	1	3
Burglary	2	6	8
Safecracking	0	1	1
Theft	3	1	4
RSP	0	1	1
Failure to Comply	0	1	1
Escape	0	1	1
Weapon Under Disability	1	2	3
Engaging in Corrupt Activity	1	0	1
Participating in Criminal Gang	0	3	3
Drug Trafficking	0	1	1
Drug Possession	1	2	3
Total	110	48	158