

IN THE COURT OF APPEALS OF OHIO
FOURTH APPELLATE DISTRICT
WASHINGTON COUNTY

STATE OF OHIO,	:	
	:	Case No. 25CA15
Plaintiff-Appellee,	:	
	:	
v.	:	<u>DECISION AND JUDGMENT</u>
	:	<u>ENTRY</u>
RODNEY D. HILL,	:	
	:	
Defendant-Appellant.	:	RELEASED: 08/04/2026

APPEARANCES:

L. Scott Petroff, Athens, Ohio, for appellant.

Joe Derkin, Washington County Prosecuting Attorney, and Daniel W. Everson, Washington County Assistant Prosecutor, for appellee.

Wilkin, J.

{¶1} This is an appeal of a Washington County Court of Common Pleas judgment entry in which Rodney D. Hill (“Hill”) was convicted of escape. On appeal, Hill argues that his conviction was against the manifest weight of the evidence and was based upon insufficient evidence. After reviewing the parties’ arguments, the record, and the applicable law, we find Hill’s sole assignment of error lacks merit and therefore affirm the trial court’s judgment of conviction.

BACKGROUND

{¶2} On August 28, 2024, a grand jury indicted Hill with escape in violation of R.C. 2921.34(A)(1) and (C)(2)(b), a third-degree felony. Hill pleaded not guilty.

{¶3} On February 25, 2025, the case went to trial. In his opening argument, the prosecutor explained that when an inmate has approximately 20%

of their sentence remaining, he or she can be placed in transitional control where they serve the remainder of their sentence in a facility that helps transition them before their release by providing job training. However, the inmate is still in custody until their sentence expires. The prosecutor explained that on July 15, 2024, Hill was placed in transitional control at Oriana House, which is a halfway house. However, 11 days later he fled the facility, committing the criminal offense of escape. Hill waived his right to make an opening statement.

{¶4} The State's first witness was Michael Reilly, who is a resident supervisor at Oriana House. Reilly stated that the offenders undergo training to reacclimate them to the "outside world[.]" which included classes like anger management. Reilly checks offenders into the facility, including reviewing the consequences if they leave the facility without authorization, which is a crime. Even if authorized to leave the facility, the inmate must return to the facility at night.

{¶5} Reilly testified that he checked Hill into Oriana House on July 15, 2024. He maintained that residents are made aware that if they leave the facility without authority, it's a "felony escape[.]" The prosecutor inquired: "[defense counsel] asked if you went over the rules with [Hill], part of those rules are telling him the consequences of escaping?" Reilly responded: "Yes. They're made aware that it's a felony escape if they were to leave." Reilly asserted that a resident's case manager would also inform him or her about escape. He also indicated that there are several signs at the facility about "felony escape charges[.]"

{¶6} Reilly claimed at 8:30 p.m. on July 26, 2024, he was informed that two of the facility's residents had left the facility by climbing over the 9-to-10-foot wall in the recreation area. After a search of the facility, Reilly determined that Hill was one of the two individuals who had absconded. Reilly initiated the "after-hours AWOL procedure" by notifying the facility's lead resident supervisor and others, including the sheriff and Hill's parole officer of Hill's escape. To Reilly's knowledge, Hill never returned to the facility.

{¶7} The State's next witness was Walter McBride, who stated that he was also a resident supervisor at Oriana House. McBride testified that on July 26, 2024, he noticed Hill wearing another resident's clothing, which violated the facility's rules. McBride testified that it was his job to inform Hill about the facility's rules but could not specifically recall if he did so.

{¶8} McBride also testified that Oriana House had "escape and AWOL [signs] posted all over the place" and were also included on an inmate's intake packet. He asserted that the signs are "very hard to miss" with "white, big bold lettering[.]" McBride testified that he never saw Hill after July 26, 2024.

{¶9} The State's final witness was Lauren Wheeler, who was an employee of the Ohio Adult Parole Authority (OAPA), as a parole officer who supervised felons who had been released from prison. She was also the liaison between OAPA and Oriana House, dealing with issues related to transitional control. She testified that the persons in transitional control at Oriana House are still "prisoners." The OAPA and the Bureau of Community Control Sanctions assess whether inmates are eligible to spend their remaining 20% of the sentence at a

halfway house like Oriana House. Wheeler testified that if she is notified that an individual leaves a halfway house like Oriana House, she files an escape charge with the Washington County Prosecutor's Office. The escape charge is filed because the absconding individual is still serving the remainder of their sentence, even though they are doing so at a halfway house. Wheeler stated that an arrest warrant was issued for Hill on July 26, 2024 sometime after she was off work. She claimed that she was not made aware of Hill's AWOL status from Oriana House until July 29, 2024. However, to her knowledge a warrant had already been issued before she learned of his escape. As far as she knew, Hill never returned to the facility.

{¶10} On November 1, 2024, Wheeler was notified that Hill had turned himself in to the Washington County Jail on October 31, 2024. On the date Hill absconded from the halfway house (July 26, 2024), he still had approximately 180 days left on his prison sentence for his underlying domestic violence offense.

{¶11} The defense presented no witnesses but moved for a Crim.R. 29 motion for acquittal. The court denied the motion.

{¶12} After closing arguments, the case was submitted to the jury. The jury found Hill guilty of the offense of escape. The court accepted the verdict and proceeded to sentencing. The court sentenced Hill to 30 months in prison to be served consecutively to prison sentences Hill was serving in Case Nos. 22CR25 and 22CR575. Hill appeals his escape conviction to this court.

ASSIGNMENT OF ERROR

THE CONVICTION WAS AGAINST THE MANIFEST WEIGHT OF THE EVIDENCE AND BASED ON INSUFFICIENT EVIDENCE IN VIOLATION OF

APPELLANT’S RIGHT TO DUE PROCESS AS GUARANTEED BY THE UNITED STATES CONSTITUTION AND OHIO CONSTITUTION.

{¶13} Hill maintains that the offense of escape required the State to prove that he “knew he was still ‘under detention’ or was reckless in that regard to that fact when he walks away from a facility.” In support of this argument, Hill relies on *State v. Anderson*, 2022-Ohio-3486 (11th Dist.). In *Anderson*, the appellant was placed at Oriana House, but left without permission, and was convicted of escape. Hill claims that the Eleventh District reversed, finding “no evidence” that the appellant had been informed that his placement at Oriana House constituted detention. Hill further contends that the court reasoned that “general testimony about standard procedures or the legal nature of a placement is insufficient; there must be actual, contemporaneous proof that the defendant was personally notified that his placement constituted detention.” Hill also claims that the court in *Anderson* “stressed that neither the statutory language nor prior incarceration could be presumed to supply the required knowledge; the defendant must be contemporaneously informed or otherwise made aware of custodial status at the time.”

{¶14} Hill argues *Anderson* controls here. He claims the record contains no evidence that he was explicitly told his placement at Oriana House meant he remained under detention. Hill claims that none of the State’s witnesses testified that he was ever notified that he was under detention while at the Oriana House. Although these witnesses described signage addressing escape, that is not what the law requires. Similarly, he claims, none of the State’s exhibits informed Hill that he was under detention.

{¶15} Hill claims, similar to *Anderson*, the State's evidence at most shows that Oriana House is part of the prison system in the general sense, but does not show he was aware his stay there constituted detention under R.C.

2921.34(A)(1). Relying on *Anderson*, Hill argues that absent evidence that he was contemporaneously informed he was in custody at Oriana House, the State failed to prove the knowledge element of escape beyond a reasonable doubt.

He, therefore, asks this Court to reverse his escape conviction.

{¶16} In response, the State argues that the culpable mental state of knowledge or recklessness for the offense of escape can be inferred from circumstantial evidence. The State maintains that the circumstances in this case support the jury's inference that Hill either knew, or was at least reckless to the risk, that he was under detention.

{¶17} The State maintains that Hill cites no authority for the proposition that the law requires proof that a prisoner in a halfway house on transitional control must be explicitly informed that he or she is under detention for purposes of being convicted of escape. Such an interpretation would require actual knowledge, which would undermine the reckless mental state as being part of the standard of culpability for the offense of escape. Thus, the relevant inquiry is whether evidence was presented from which the jury could have reasonably concluded that Hill knew or should have known he was being detained.

{¶18} The State points out that Hill began as a prisoner in a correctional facility and received a "certificate of transitional control release" stating he would

“continue [his] sentence” at the Oriana House, from which a jury could easily infer continuing detention.

{¶19} The State further asserts that part of the intake process is telling incoming clients that leaving the facility would mean they would be charged with felony escape. The State also cites the warning signs at the Oriana House that warn against escape.

{¶20} The State highlights additional circumstances that suggest Hill understood he was being detained at Oriana House: He remained at the Oriana House for 11 days before absconding, he left wearing another resident’s clothing, and he scaled a nine-to-ten foot fence and never returned. The State asserts that *Anderson*, relied upon by Hill, is not on-point, and is not persuasive. The State characterizes *Anderson* as a narrow, pandemic-specific decision addressing procedural confusion during COVID-19, not a general authority on proving escape elements or mens rea. In support, the State cites a summary of the *Anderson* case from Lexis, which the State maintains is helpful in understanding what the case is actually about:

The trial court committed reversible error when it failed to grant defendant’s motion for judgment of acquittal where the State failed to provide sufficient evidence that the defendant received his post-release requirements and where there were *recent procedural changes to post-release control due to the pandemic*, therefore the charge did not meet all of the essential elements of the charge of escape.

(Emphasis in original).

{¶21} The State emphasizes *Anderson* arose from disrupted parole procedures, including virtual meetings and uncertainty about whether Anderson

received conditions or met with a parole officer before release. The Eleventh District in *Anderson* reversed because the State failed to prove that the defendant received his post-release requirements amid recent pandemic-driven procedural changes, defeating proof of knowledge or recklessness. The State underscores that the defendant in *Anderson* never reported to Oriana House, and the case did not involve a resident leaving a halfway house without permission, like in the case at bar. The State argues *Anderson* has not been cited by other courts and lacks persuasive value in normal, post-pandemic conditions, offering no generally applicable evidentiary rule for proving mens rea in escape cases. The State distinguishes the present case by noting that undisputed evidence shows that Hill met with officers, received paperwork and advisements, lived at the facility for 11 days with clear signage, and then absconded, making *Anderson* inapposite.

A. Law

{¶22} When reviewing whether the evidence is sufficient to sustain a conviction, the focus is on the adequacy of the evidence. *See State v. Sims*, 2023-Ohio-1179, ¶ 115 (4th Dist.). Thus, “[t]he standard of review is whether, after viewing the probative evidence and inferences reasonably drawn therefrom in the light most favorable to the prosecution, any rational trier of fact could have found all the essential elements of the offense beyond a reasonable doubt.” *Id.*

{¶23} Assessing the manifest weight of the evidence in a case involves considering its persuasiveness. *See State v. Dennison*, 2007-Ohio-4623, ¶ 14 (4th Dist.). In a manifest-weight-of-the-evidence review, “an appellate court

reviews the entire record, weighs the evidence and all reasonable inferences, considers the credibility of witnesses, and determines whether in resolving conflicts in the evidence, the jury clearly lost its way and created such a manifest miscarriage of justice that the conviction must be reversed.” *State v. Jackson*, 2026-Ohio-1486, ¶100 (4th Dist.), citing, *State v. Maynard*, ¶ 24 (4th Dist.), citing *State v. Thompkins*, 78 Ohio St.3d 380, 387 (1997). “ ‘Judgments supported by some competent, credible evidence going to all the essential elements of the case will not be reversed by a reviewing court as being against the manifest weight of the evidence.’ ” *Id.* quoting, *C.E. Morris Co. v. Foley Const. Co.*, 54 Ohio St.2d 279 (1978), syllabus.

{¶24} “Generally, the weight and credibility of evidence are issues that the trier of fact must determine.” *State v. West*, 2014-Ohio-1941, ¶ 23 (4th Dist.), citing *State v. Frazier*, 2007-Ohio-5048, ¶ 106; *State v. Dye*, 82 Ohio St.3d 323, 329 (1998). “A jury, sitting as the trier of fact, is free to believe all, part or none of the testimony of any witness who appears before it.” *Id.*, citing *State v. Colquitt*, 2010-Ohio-2210, ¶ 10, fn. 1 (2nd Dist.); *State v. Nichols*, 85 Ohio App.3d 65, 76 (4th Dist.1993). “The underlying rationale for deferring to the trier of fact on issues of evidence weight and credibility is that the trier of fact is best positioned to view the witnesses, to observe their demeanor, gestures and voice inflections and to use those observations to weigh witness credibility.” *Id.*, citing *Myers v. Garson*, 66 Ohio St.3d 610, 615 (1993); *Seasons Coal Co. v. Cleveland*, 10 Ohio St.3d 77, 80 (1984).

{¶25} “ ‘A verdict is not against the manifest weight of the evidence because the finder of fact chose to believe the State's witnesses.’ ” *State v. Wiggers*, 2026-Ohio-1410, ¶ 39 (4th Dist.), quoting *State v. Chancey*, 2015-Ohio-5585, ¶ 36 (4th Dist.), citing *State v. Wilson*, 2014-Ohio-3182, ¶ 24 (9th Dist.), citing *State v. Martinez*, 2013-Ohio-3189, ¶ 16 (9th Dist.). “ ‘ “While the [trier of fact] may take note of inconsistencies and resolve or discount them accordingly, * * * such inconsistencies “sic” do not render defendant's conviction against the manifest weight or sufficiency of the evidence.” ’ ” (Brackets and Ellipses in original.) *Id.*, quoting *State v. Corson*, 2015-Ohio-5332, ¶ 31 (4th Dist.), quoting *State v. Proby*, 2015-Ohio-3364, ¶ 42 (10th Dist.), citing *State v. Gullick*, 2014-Ohio-1642, ¶ 10 (10th Dist.).

{¶26} “A finding that a conviction is supported by the manifest weight of the evidence is ‘also dispositive of the issue of sufficiency.’ ” *State v. Jackson*, 2026-Ohio-1486, ¶ 103 (4th Dist.), quoting *State v. Sims*, 2023-Ohio-1179, ¶ 120 (4th Dist.), citing *State v. Waller*, 2018-Ohio-2014, ¶ 30 (4th Dist.).

Consequently, a conviction that is supported by the manifest weight of the evidence is also supported by sufficient evidence.

2. Circumstantial Evidence

{¶27} “[C]ircumstantial evidence has equal probative value to direct evidence.” *State v. White*, 2024-Ohio-549, ¶ 39 (4th Dist.), citing *State v. Jenks*, 61 Ohio St.3d 259, 273 (1991). “ ‘Circumstantial evidence is sometimes defined as proof of facts by direct evidence from which the trier of fact may infer or derive by reasoning other facts in accordance with the common experience of mankind.’ ”

” *State v. Roberts*, 2025-Ohio-5120, ¶ 140, quoting *State v. Griffin*, 13 Ohio App.3d 376, 377 (1st Dist. 1979), citing 1 *Ohio Jury Instructions*, § 5.10d (1968). “ ‘A conviction can be sustained based on circumstantial evidence alone.’ ” *State v. Morris*, 2022-Ohio-3608, ¶ 32 (3rd Dist.), quoting *State v. Franklin*, 62 Ohio St.3d 118, 124 (1991).

{¶28} “[S]ince the fact-finder can never truly get inside the defendant’s mind, mens rea is often proved by circumstantial evidence.” (Brackets in original.) *State v. Robertson*, 2024-Ohio-2848, ¶ 66 (9th Dist.), quoting *State v. St. John*, 2009-Ohio-6248, ¶ 21 (7th Dist.). Ohio appellate districts have recognized that the culpable mental state in a criminal case can be demonstrated through circumstantial evidence. See *Wiggers*, 2026-Ohio-1410, at ¶ 42 (4th Dist.); *State v. Leedy*, 2000 WL 543811, *2 (1st Dist. May 5, 2000); *State v. Cotton*, 2026-Ohio-1677, ¶ 14 (2d Dist.); *State v. Rowe*, 2023-Ohio-3686, ¶ 22 (3rd Dist.); *Sluka v. Sluka*, 2024-Ohio-5957, ¶ 39 (5th Dist.); *State v. Wilkes*, 2013-Ohio-2369, ¶ 14 (6th Dist.); *State v. James*, 2024-Ohio-4567, ¶ 25 (7th Dist.); *State v. Cammon*, 2018-Ohio-3183, ¶ 19 (8th Dist.); *Robertson*, at ¶ 66 (9th Dist.); *State v. Shappie*, 2025-Ohio-1629, ¶ 12 (10th Dist.); *State v. Tackett*, 2019-Ohio-5188, ¶ 26 (11th Dist.); and *State v. Fulton*, 2023-Ohio-3201, ¶ 12 (12th Dist.).

3. Escape

{¶29} R.C. 2921.34(A)(1) defines the offense of escape as: “No person, knowing the person is under detention . . . or being reckless in that regard, shall

purposely break or attempt to break the detention.” R.C. 2901.22, defines culpable mental states of knowing and reckless:

(B) A person acts knowingly, regardless of purpose, when the person is aware that the person's conduct will probably cause a certain result or will probably be of a certain nature. A person has knowledge of circumstances when the person is aware that such circumstances probably exist. When knowledge of the existence of a particular fact is an element of an offense, such knowledge is established if a person subjectively believes that there is a high probability of its existence and fails to make inquiry or acts with a conscious purpose to avoid learning the fact.

(C) A person acts recklessly when, with heedless indifference to the consequences, the person disregards a substantial and unjustifiable risk that the person's conduct is likely to cause a certain result or is likely to be of a certain nature. A person is reckless with respect to circumstances when, with heedless indifference to the consequences, the person disregards a substantial and unjustifiable risk that such circumstances are likely to exist.

B. Analysis

1. *Anderson*

{¶30} In *Anderson*, the appellant was released from the Nobel Correctional Facility on transitional control and ordered to report to Oriana House. 2022-Ohio-3486, at ¶ 2. After he failed to report, he was charged with, and convicted of, escape, and sentenced to a 12-month prison term. *Id.* at ¶ 2-3.

{¶31} On appeal *Anderson* “challenge[d] whether the State presented sufficient evidence that he was given notice of where, when, and to whom to report for his post-release control.” *Id.* at ¶ 8. The court of appeals found that there was “no doubt that appellant] knew he was on post-release control.” *Id.* at ¶ 17. But the court determined that “even though [the appellant] had been on post-release control before, and been convicted of escape in the past, the State

was required to provide evidence of every element of escape, including sufficient evidence to establish beyond a reasonable doubt that Mr. Anderson acted purposely in failing to report.” *Id.* The court continued: “[t]o that end, the state needed to show that Mr. Anderson had knowledge, or acted recklessly in failing to have knowledge, of his reporting requirements.” *Id.* The court reasoned that

The testimony that the standard procedure was to provide inmates with their post-release reporting requirements was insufficient in this case to establish that Mr. Anderson had received such notice because there was no first-hand-knowledge testimony that Mr. Anderson received that notice, and there was testimony that there were recent procedural changes due to the pandemic.

Id.

{¶32} Thus, the court concluded “[w]ithout that showing, we find that no reasonable finder of fact could find beyond a reasonable doubt that Mr. Anderson acted purposely in failing to report for post-release control when viewing the evidence in favor of the prosecution.” *Id.* Accordingly, the court vacated Anderson’s escape conviction. *Id.*

{¶33} Hill claims that in his case “[t]he record contains no evidence that [he] was ever *explicitly informed* his placement there meant he was still ‘under detention.’ ” (Emphasis added.). No where does *Anderson* hold that a defendant must be “explicitly informed” that he or she is under detention for the purpose of proving knowledge for the criminal offense of escape. Simply stated, *Anderson* merely held that there was insufficient evidence that the State informed the appellant that he remained under detention upon his release to transitional control. That is not true in the instant case, as we recognize below. Accordingly,

contrary to Hill's argument, we find that *Anderson* is neither on point with his case nor helpful in resolving his appeal.

2. The Evidence

{¶34} While there is no direct evidence that the State directly informed Hill that he remained under detention at Oriana House, none is necessary to resolve his appeal. As we recognized *infra*, circumstantial evidence alone can, and often does, prove a defendant's mental state. Michael Reilly, the resident supervisor of Oriana House, personally checked Hill into the facility on July 15, 2024. He confirmed that residents are expressly informed that leaving the facility without authority is a "felony escape." Both resident supervisors, Reilly and McBride, testified that there are at least several signs in the facility warning residents about escape, and similar warnings are included in the intake packets provided to incoming residents. On the night he absconded, Hill was wearing another resident's clothing. He also did not leave through the front entrance. Instead, he climbed a nine-to-ten-foot wall in the recreation yard. And finally, rather than promptly returning to the facility, Hill remained at large for nearly three months before surrendering at the Washington County Jail on October 31, 2024. Based on this evidence, a trier of fact could have inferred that Hill knew that he was still subject to detention while at Oriana House.

{¶35} Thus, after reviewing the entire record, weighing the evidence and all reasonable inferences, assessing witness credibility, and resolving any evidentiary conflicts, we conclude the jury did not clearly lose its way or create a manifest miscarriage of justice warranting reversal of Hill's conviction. Rather,

Hill's escape conviction is supported by some competent, credible evidence and therefore is supported by the manifest weight of the evidence. It follows that the conviction is also supported by sufficient evidence.

CONCLUSION

{¶36} Accordingly, we overrule Hill's sole assignment of error and affirm his conviction.

JUDGMENT IS AFFIRMED.

JUDGMENT ENTRY

It is ordered that the JUDGMENT IS AFFIRMED and that appellant shall pay the costs.

The Court finds there were reasonable grounds for this appeal.

It is ordered that a special mandate issue out of this Court directing the Washington County Common Pleas Court to carry this judgment into execution.

A certified copy of this entry shall constitute the mandate pursuant to Rule 27 of the Rules of Appellate Procedure.

Abele, J. and Hess, J.: Concur in Judgment and Opinion.

For the Court,

BY: _____
Kristy S. Wilkin, Judge

NOTICE TO COUNSEL

Pursuant to Local Rule No. 22, this document constitutes a final judgment entry and the time period for further appeal commences from the date of filing with the clerk.