

Chair Abrams, Vice Chair Williams, Ranking Member Brown and members of the House Criminal Justice Committee, thank you for the opportunity to provide proponent testimony on House Bill 314, regarding juvenile court transfer.

On September 26<sup>th</sup>, 2021. An important person in my life became a victim of a Horrendous crime. This was a Nonverbal autistic 6-year-old. The abuser was a 14-year-old male within the family. Who knew of this child's disability. The abuser used her impairment to his advantage. He coached this child to the only safe zone within her world. Her bedroom. That is where he abused her, as he looked out a window to make sure no one could catch him. But He was caught in the act. At that time the Clermont County Sheriff office was called as well as the Detectives. When the detective questioned this abuser. He admitted to abuse.

When the detective asked why her. The abuser's reply was. "Well. You see she is autistic. She does as she is told. The Detective makes a note in his report. "The Abuser smiles as he explains the act.

"Those are words that will never leave your mind. At that time the abuser is taken into custody. The abuser was placed in the Clermont County Juvenile detention center. On that following Monday there was a court hearing. This was the first of many Court appearances. I listened as the court handed down his restrictions. No social media. No Cell phone. No internet access. Parent supervision always.

It was about every 4 weeks we had a court hearing. I sat in the lobby waiting for the case to be called. It was amusing for this boy as well as his mother to sit and smile, make jokes, and make funny faces at me. He was instructed by his attorney before he walked into the court room. "To act scared in front of the Judge. As they all thought that comment was amusing.

I was able to meet with some of the Clermont County prosecutors' team. This team was outstanding. The team was there for us every step of the way. This family knew justice would prevail. Finally, the verdict came. Rape in the 1<sup>ST</sup> DEGREE. I thought. Yes, finally justice. Then it was explained to us. This juvenile would be sentenced in Hamilton County, because that is where he lived. It was explained that is how the system worked. I was so naïve. I had no clue how that would play out.

It took about another month or so, for Hearings to start in Hamilton County. I again. attended every hearing. The first hearing was pretty much the same as Clermont County. The Magistrate handed down the same rules. Also adding more restrictions. He was not to leave his county. He was on house arrest. Only to leave for Medical or Court issues.

It wasn't a week later. I see this young man on social media posting videos with a cell phone on the internet. It was time stamped and documented. He was even a participant at out-of-town dog shows. I became enraged. I reached out to the Hamilton County

prosecutors for their support. Boy, was I wrong. I was under the impression that we would receive the same support that we received in Clermont County.

I had no idea that I was going to have to do the courts job for them. When reaching out to the prosecutor's office. I was told. This department had no information on this case, only that he was found guilty of a crime in Clermont County. Hamilton county would only be involved in the sentencing. I said OK, I was in the court when he was given restrictions by the magistrate. He had broken everything the Magistrate had ordered. This was not hear say. This was documented proof. I supplied the prosecutor with 29 different emails of proof. He was not compliant with the courts. The prosecutor said we can take it up with the magistrate in the next hearing. That was another slap to the face.

The magistrate stated. Quote. "Well, the parent can't always watch him! I explained the parent was the one allowing him to have access to cell phone, internet and leaving the county. As I asked the Magistrate, why do you give these orders if this was not going to be enforced. At this time, I asked the Magistrate if she was aware of the nature of his crime. The Magistrate stated. Mame it was Clermont County's job to impose the verdict. Hamilton County was only to see that this young man received the help he needed. At that time, I knew justice was not going to happen.

The abuser became the victim. After almost 10 court appearance, time lost at work, the 29 emails to support this young man was not compliant with the restrictions imposed by the court. This young man got, Therapy only.

We left that court in complete disbelief. No justice. I can't explain the anger, the hurt and the mental demons that played within my mind. This young man got away with it. He took this nonverbal child's dignity and innocence. With no remorse. After a day or two the Hamilton County prosecutor office reached out to us. Saying the Judge needed to sign off the magistrates ruling. That judge requested the family to come back to Hamilton County court. Along with the abuser and his family. Once again. We had to face this young man. I thought Yes, the judge see's the punishment didn't fit the crime.

When we arrived, I felt justice would take place. Sadly no. It was a reopened wound, again. With salt rubbed into it. This judge wanted to inform us she agreed with the magistrate's decision. But, also wanted to inform us she would be following this case closely. Again, No justice. We were asked to leave the courthouse, because the abuser didn't feel safe until we left. So again, the abuser became the victim. As far as the judge following this case closely.

Well, she was promoted to the main prosecutor for Hamiton county and the Prosecutor that was supposed to fight for our loved one. Well, she is now a Juvenile judge. I'm just a normal person. I had never been in the court system, nor were my children. So, I had no idea what would take place during this nightmare. I know a nonverbal child had no voice. Clermont County gave her a voice. Hamilton County took it away in just a few court hearings. Victims should not be made to feel like criminals because they seek

justice. This 6 year was assaulted on September 26<sup>th</sup>, 2021, and was assaulted again in July of 2022 by the Hamilton County court system.

Until you are put in our situation you will never understand. I don't wish this on anyone. In today's world crime isn't going away. Why would it. Juveniles are shown they are above the law. The courts seem to think the juvenile are thinking with a child's mind. The courts are willing to give the juvenile many 2<sup>nd</sup> and 3<sup>rd</sup> chances. At what cost? Death, Rape, Robbery. I grew up in a time when my decisions had a consequence. Today's juvenile will never know that feeling.

That is why HB 314 is vital to the state of Ohio. Today's juvenile will be Ohio adult inmate of the future. HB314 shows that where the crime is committed is where the sentence will take place. HB314 allows the County involved to send a message. This is not tolerated in their County.

I thank Representative Adam Bird for taking the time to listen and meet with me. Mr. Bird works very hard for Clermont County. Along with our Prosecutors, Law Enforcement and Judges. I also feel that HB314 would also take the burden off the already overwhelmed, neighboring counties. The old saying is it takes a village to raise a child. My hope is that Ohio becomes a State that all the other states want to follow.. What an important role HB 314 is. During our nightmare we were removed from our safe zone, between missing work, having extra added expenses. Not to mention the hardship it caused, not everyone could come to show their support for this victim. People felt unsafe in that area. Not to mention the lack of support the County gave to the victim or their support team.

Just a few things to consider for the HB 314.

Thank You

Tracy