

2014

Statutory Responses to Domestic Minor Sex Trafficking Victims

Ohio



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Identification

Initial Custody

Process Following Initial Custody

Abused, Neglected or Dependent Child

Authority for Initial Custody:

- Removal is necessary to prevent immediate or threatened physical or emotional harm
- Child is endangered by conduct, conditions or surroundings

Placement:

- Parents preferred (possible protective orders)
 - Shelter care
- NOTE: No authority to place in detention.

Where is child referred after initial custody?

Notice must be given to the parents and to the court

When and how does court assume jurisdiction?

- Any person with knowledge may file a sworn complaint
- If child is taken into custody, complaint must be filed before the end of the next day

Unruly or Runaway Child

Authority for Initial Custody:

By law enforcement or an officer of the court when a complaint has been filed alleging child to be unruly or if there are reasonable grounds to believe that child has run away

Placement:

- Release to parents
- Detention or shelter care if needed to protect the child or others or to keep child from disappearing

Where is child referred after initial custody?

Notice must be given to the parents and to the court

When and how does court assume jurisdiction?

- Any person with knowledge may file a sworn complaint
- If child is taken into custody, complaint must be filed before the end of the next day

Identified as Delinquent

Authority for Initial Custody:

By law enforcement under:

- The laws of arrest
- Reasonable grounds to believe child committed a delinquent act

Placement:

- Release to parents
- Detention/shelter care
- Short-term in adult facility for 3 hours if misdemeanor-level offense, 6 if higher

Where is child referred after initial custody?

Notice must be given to the parents and to the court. Intake or other authorized officer begins investigation

When and how does court assume jurisdiction?

Upon an information filed or an indictment

Trafficking Victims in Ohio

Placement Process Pending Adjudication/ Investigation

When must placement hearing be held after initial custody?

Not later than 72 hours after placement

What are the placement options?

- Release to parents
- With relatives
- Shelter care

Adjudication or Referral to Alternate Process

Adjudication:

Must be held within 30 days of when the complaint is filed

Or Alternate Process

N/A

Placement Following Adjudication

Dispositional Outcomes

- Return to parents
- Temporary custody with relative
- Custody to the child protection agency

Dispositional Outcomes

N/A

When must placement hearing be held after initial custody?

Not later than 72 hours after placement

What are the placement options?

- Detention facility for up to 24 hours
- Foster care,
- Child-care facility
- Any other suitable place designated by the court

Adjudication:

The court determines if the child is a unruly child beyond a reasonable doubt

Or Alternate Process

Available if the court establishes an alternative program

Dispositional Outcomes

- Place under community control
- Suspend driver's license
- Commit to temporary or permanent custody of the court
- Foster home or child welfare agency

Dispositional Outcomes

Must not exceed sixty days or until final disposition of the case, which ever comes first

When must placement hearing be held after initial custody?

Not later than 72 hours after detention

What are the placement options?

- Release to parents,
- Shelter care, OR
- Detention

Adjudication:

The court determines if the child is a delinquent child within 30 days of complaint

Or Alternate Process

CSEC will normally go through diversion program; complaint will be held in abeyance up to 90 days. The court may make any orders regarding placement, services, supervision, diversion actions, and conditions of abeyance, that court considers in the best interests of the child

Dispositional Outcomes

- Commit to temporary custody
- Placement in a detention facility
- Place child under community control

Dispositional Outcomes

Placement, supervision, & trauma-based services or ed. activities. When program is successfully completed, complaint dismissed and record expunged.