

FILED

7/11/2011

CLERK OF COURT, BUTLER COUNTY, OHIO

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Jane Roe, as Mother and  
Custodian of Johnny Roe, et al.

Plaintiffs,

vs.

Butler County, Ohio et al.,

Defendants.

Case No. C1-01-422

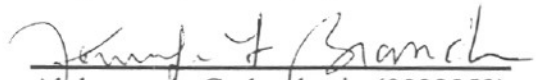
Judge Beckwith

Magistrate Judge Sherman

NOTICE OF FILING RULE 68 OFFER  
OF JUDGMENT AND ACCEPTANCE  
OF JUDGMENT

Plaintiffs give notice of filing Butler County, Ohio's Rule 68 offer of judgment  
and the Plaintiffs' acceptance of the judgment.

Respectfully submitted,



Alphonse A. Gerhardstein (0032053)  
Trial Attorney for Plaintiffs  
Jennifer L. Branch (0038893)  
Attorney for Plaintiffs  
617 Vine Street #1409  
Cincinnati, Ohio 45202  
(513) 621-9100

Mark Conese #004637  
Attorney for Plaintiffs  
21 Ludlow Street  
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CERTIFICATE OF SERVICE


I hereby certify that a copy of the preceding pleading was mailed August 15

2003 to:

Jack C. McGowan  
Attorney for Butler County Defendants  
246 High Street  
Hamilton, OH 45011  
Fax: 868-1190

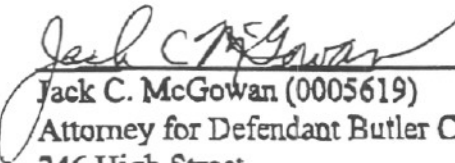
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Jennifer L. Branch



Respectfully Submitted,

  
 \_\_\_\_\_  
 Jack C. McGowan (0005619)  
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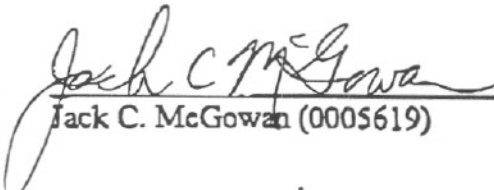
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 \_\_\_\_\_  
 Jack C. McGowan (0005619)

## MICHIGAN INITIATIVE TO REINVEST IN JUVENILE JUSTICE - DESCRIPTION OF PROJECT

### Purpose

To assist counties to **strategically plan for systemic change to reduce unnecessary use of juvenile confinement facilities, to reduce costs, and to reinvest in effective community-based alternative services and supervision of delinquent youth.**

### Description of Issues to be Addressed

- ▼ Many communities rely heavily on costly confinement of youth in facilities to administer juvenile justice.
- ▼ Unnecessary confinement does not further public safety, is not an effective use of public funds, and is an improper practice which can, in fact, lead to a higher juvenile crime rate.
- ▼ The population of many secure facilities includes a substantial number of youth who have committed no offense or who are being held for a non-serious offense, a public nuisance charge, or a technical violation of probation or parole.
- ▼ In many communities minority youth are placed into secure facilities in numbers disproportionate to the volume and severity of offenses they commit.
- ▼ Michigan's system of local/state cost sharing for juvenile justice supervision and services makes it essential that both state and local leadership review and reverse unsound practices wherever they are found.

### Strategic Plan for System Improvement

- ▼ The State Court Administrative Office and the Family Independence Agency are committing financial resources and in partnership with the Department of Community Health, the Michigan Juvenile Detention Association and the National Juvenile Detention Association's Center for Research & Professional Development (CRPD) will provide leadership and technical assistance to jurisdictions throughout the state to help them develop their juvenile justice systems as continuum of supervision, services, and alternatives from the least intrusive to the most restrictive.
- ▼ This State-level collaborative has as its goals to assist local communities: to develop core groups of leaders to **plan strategically** and make **systemic changes** through **data-driven decisions**; to understand and implement the concept of **confinement as process not place**; and, to **reinvest saved funds** in a more effective and efficient local system of juvenile justice.

### Demonstration Sites

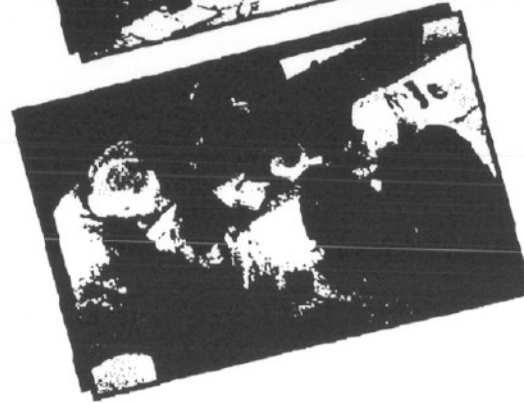
- ▼ Four jurisdictions have been identified to serve as "demonstration sites" for initiation of the strategic planning effort. CRPD will provide workshops to acquaint those communities with the process.
- ▼ Process brings together decision-makers from agencies connected to juvenile justice to critically examine their system and begin working together as a core group, sharing a common vision and goals.
- ▼ Jurisdictional planning is a high impact, short term, and effective intervention

### Anticipated Outcomes

- ▼ Experience has shown in jurisdictions across the country (including Monroe and Berrien Counties in Michigan) that a systemic reform strategy can work to correct these problems.
- ▼ Working in partnership with local jurisdictions to **develop a continuum of alternatives**, the state level collaborative will assist local communities to assure more **effective interventions**, **maintain public safety**, **free beds for high risk youth**, **expand the range and volume of services**, and **identify**

Through an OJJDP funded project, NJDA's Center for Research & Professional Development located at Michigan State University provides **Jurisdictional Planning Assistance** to selected jurisdictions nationally. This planning model applies research on effective practices, operations, and systems in juvenile justice jurisdictions in both juvenile detention and corrections. The NJDA/Youth Law Center curriculum is applied through intensive strategic planning involving key jurisdictional stakeholders, promoting the reduction of the use of unnecessary juvenile confinement as the focal point for the local juvenile justice system to evaluate its goals, objectives, and practices. The approach is a logical extension of the concepts and principles promoted through the Anne E. Casey Foundation efforts at juvenile detention reform.

NJDA encourages jurisdictions - local, state, regional or tribal - to consider this strategic planning approach to address crowding in facilities, unacceptable conditions of confinement, potential litigation and similar problems through intensive analysis and planning involving a community stakeholder group. Priority will be given to those jurisdictions demonstrating a consensus for reform, an interest in reinvestment, and a commitment by key stakeholders to participate. A questionnaire to assist in profiling the jurisdiction's current juvenile justice system must be completed as part of the application process.



The approach, relying heavily upon the stakeholder group's exploration of successful methods of change in similar situations with recognized juvenile justice experts, can develop and support community synergy leading to a more effective juvenile justice system. Expanded understanding and ownership of the jurisdiction's juvenile justice system will lead to greater stakeholder involvement; and on-going partnerships with the system. Problems in a juvenile justice system often develop, in part due to isolation of the system or a component of the system. Experience indicates that expanded stakeholder involvement reduces isolation and brings about increased investment leading to strength and quality.

# JRPD

## Jurisdictional Planning Assistance

- ◆ Is your juvenile detention or correction facility housing more youth than it was designed to hold?
- ◆ Are you or others in your community or jurisdiction concerned about conditions of confinement in your facility or facilities?
- ◆ Do you feel like you are in charge of a "one size fits all" system without a sufficient range of options or an ability to contain costs to meet the many different needs of the youth you are to serve?
- ◆ Do you live in fear of a lawsuit because of conditions of confinement or crowding in your jurisdiction?
- ◆ Is your juvenile justice system under attack from the community or the media due to these or similar issues?

If you can answer 'yes' to any of the questions, you may want to read further. National Juvenile Detention Association has a program to assist jurisdictions across the country to address successfully these related juvenile justice concerns.

## What is Jurisdictional Planning Assistance?

1. Two days of constructive interaction and core group development facilitated by a team of recognized experts in juvenile justice who present exemplary juvenile justice practices and programs.
2. A forum that brings stakeholders from agencies connected to juvenile justice together to critically examine their system.
3. Structured activities that lead to greater agreement on the purpose of the local juvenile justice system, including hands-on group problem-solving simulation using actual juvenile justice system data.
4. Exploration of strategic planning issues, values, and demographics specific to the jurisdiction and its juvenile confinement practices.
5. Provision of follow-up planning and technical assistance.

## What are potential outcomes for my jurisdiction as a result of participation?

1. A jurisdiction-wide vision and mission for the juvenile justice system, and an action plan for change.
2. A cohesive core group with a commitment for further involvement in and advocacy for reform of its juvenile system.
3. Stakeholders who have examples and practice making data-driven decisions.
4. Resource materials relating to best practices in juvenile justice.
5. An on-going, community-focused, data-driven, decision-making model for a community corrections continuum and an

- emphasis on improved data collection and application through communication.
6. A balance of public safety and effective confinement practices with reinvestment strategies to strengthen and broaden the local juvenile justice system.

**T**o explore the potential for your jurisdiction to participate in this strategic planning program, **Jurisdictional Planning Assistance**, contact Larry Miesner, Director of Strategic and Effective Practices, at the NJDA Center for Research & Professional Development. He can be reached at 517-432-1245 or by e-mail at [larry.miesner@ssc.msu.edu](mailto:larry.miesner@ssc.msu.edu).

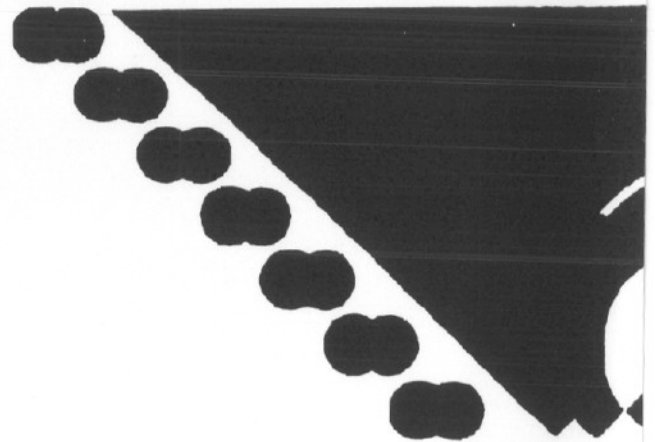


**NJDA**

**OJJDP**

**MICHIGAN STATE  
UNIVERSITY**

This project is supported by grant #2003-62744-KY-LV from OJJDP, Office of Justice Programs, U.S. Dept. of Justice. Views or opinions in this document do not necessarily represent the official position of the U.S. Dept. of Justice.



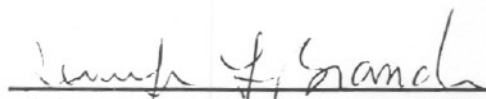
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SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Jane Roe, as Mother and	:	Case No. C1-01-422
Custodian of Johnny Roe, et al.	:	
	:	Judge Beckwith
Plaintiffs,	:	
	:	Magistrate Judge Sherman
vs.	:	
	:	<u>PLAINTIFFS' ACCEPTANCE OF</u>
Butler County, Ohio et al.,	:	<u>JUDGMENT AGAINST BUTLER</u>
	:	<u>COUNTY, OHIO</u>
Defendants.	:	

ACCEPTANCE OF JUDGMENT

Plaintiffs agree to accept Butler County, Ohio's offer of judgment. Plaintiffs further agree that within five business days of the judgment being entered, Plaintiffs will dismiss Defendants Tom Barnes, Frank Herzog, Ray Simms, Phillip Mack, James Larison, Larry Neal, Mark Perry, Dawn Anderson, Linda Stiffler, Linda Horne, Devin Goodman, James Keene, Rob Clevenger, and John and/or Jane Doe # 8-10.

Respectfully submitted,



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Trial Attorney for Plaintiffs  
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