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No one can deny or debate the outstanding immediate text book response of all law enforcement agencies involved, the deputy sheriff student resource officer and school officials to the traumatic shooting that took place recently at Madison High School. Regrettably, it is a historic event that marks a place where innocence has been lost with a realization that, as Lady Gaga sings "till it happens to you – you do not know how it feels," not from a sexual assault as she had to deal with, but a school shooting that has now happened in Madison Township. While the physical injuries were limited to four hapless students, an entire local population of young people and all those who love them have suffered in ways unimaginable. It speaks to the truth that some of the deepest wounds are the ones we cannot see. Hopefully, with time, these too will heal, but it will be a slow process.

The history of the event will be kept in public view with wounds reopened by the media because the event will be replayed as attention is turned to the disposition of the offender. This is as it should be and will provide an educational back drop in an effort to avoid a reoccurrence. Hopefully, the media will be respectful of those who do not wish to share their unfortunate experience.

The disposition of the fourteen year old offender is complex unlike that of an adult in similar circumstances. Our Ohio legislature has recognized with studied legislation that juvenile offenders can be treated differently than adults because age does make a difference in weighing the balance between protection of the public and the rehabilitation of a juvenile who commits serious crimes. This even includes aggravated murder where life is purposely taken with prior calculation and design with a firearm or a life is purposely taken during a host of other major crimes such as rape, kidnapping, aggravated robbery and aggravated burglary. For adults convicted of such offenses the only remaining issue generally is the length of a prison sentence in an adult facility. This is not the case with a fourteen year old offender. For such an offender, adult treatment is not automatic with a bind over for adult consideration. For a fourteen year old, the law invests the Grand Jury with discretion to consider the panoply of options after a careful and deliberative analysis of the facts and circumstances leading to the charges. Public out cry for any disposition is not a consideration because it is understandable that emotions of the moment or serious injuries suffered by victims may put a verdict ahead of a determination of facts and the laws that apply. Weighing public safety against rehabilitation of a fourteen year old is the primary consideration to avoid a lawless and unjust result.

This case has been submitted to the Butler County Grand Jury as provided by law to determine the charges the juvenile should face based on a complete presentation of facts and law as well as whether the juvenile should be charged as Serious Youthful Offender (SYO) and remain in the juvenile system. Eighteen witnesses testified before the Grand Jury and as a result, the Grand Jury returned an indictment charging the juvenile with four counts of attempted murder, a first degree felony, four counts of felonious assault, a second degree felony, and one count of

inducing panic, a fourth degree felony. The charges of attempted murder and felonious assault involve the same four victims and if the Judge or jury determines that attempted murder applies, the felonious assault charges will be merged. However, in the event the Judge or jury determines attempted murder does not apply, the Judge or jury will have the immediate option of considering the application of the felonious assault charges. In addition to the crimes charged, the Grand Jury found a number of specifications. One of these is that the age of the juvenile is fourteen years, another is the use of a firearm in the commission of the crimes, another is that the offenses occurred in a school safety zone and lastly, that the juvenile is a Serious Youthful Offender.

With a determination that the juvenile is a SYO, the juvenile will not be transferred to adult court with the possible imposition of mandatory adult penalties resulting from the use of a firearm. In the juvenile court system, if any of the charges are determined to be true, the juvenile will be found to be delinquent. However, the SYO classification is important in the determination of how a delinquent juvenile is treated in the juvenile system and possibly in the adult system, if certain events occur.

If the Judge or jury finds that attempted murder applies, SYO status is mandatory for a fourteen year old juvenile and results in the imposition of what is called a blended sentence. The Judge will send the juvenile to State supervision until the juvenile is twenty one years of age followed by a sentence as an adult for a period the Judge will determine. This period, however, will only be imposed if the juvenile commits a violent offense or breaks supervision rules while in a State facility until age twenty one. If the Judge or jury only finds the juvenile delinquent for the offense of felonious assault, SYO status is only an option and is not mandatory. In that event, the Judge may impose what is referred to as traditional treatment with a wide range of less restrictive options for rehabilitation.

Now that the Grand Jury has returned an indictment the next step in the process will be an arraignment before a Juvenile Court Judge at which time the juvenile will enter a plea of "true" or "not true" to the charges, the setting of an appropriate bond and any further matters that the Judge may consider toward the conclusion of this case.

As with any pending case and regardless of media attention and descriptions, justice requires that the juvenile be given the presumption of innocence and nothing in this press release should be considered as an opinion bearing on the truth of the charges in this matter or what may be an appropriate disposition. That will be left to a Judge or jury.