

Farrell, Michael

From: Rachel Dissell <RDissell@plaind.com>
Sent: Tuesday, January 15, 2019 3:50 PM
To: Farrell, Michael
Subject: Fw: Juvenile Court Sex Crimes Unit

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From: Rachel Dissell
Sent: Friday, February 3, 2017 12:56 PM
To: George Rodrigue
Cc: Katherine Siemon
Subject: Juvenile Court Sex Crimes Unit

George,

Here is some information I gathered on a potential story I was informed about on issues in the county prosecutor's juvenile crimes sex crimes unit, and potentially beyond. When I heard about this I felt compelled to make some calls to check into the situation as it was being presented to me and I also feel it makes sense to share this with the editors at AO and/or people who cover the prosecutor's office.

I'm including what people told me on-the-record only out of respect to those sources. Clearly, it seems that there was some reason for concern here because we are talking about children and sexual assault cases. Note that I added in some thoughts from Cleveland Rape Crisis Center below. I had not talked to them when we chatted this morning.

Also, I was trying to be thoughtful about the timing of this information and the fact that not everything is known about the situation at this point.

Cuyahoga County Prosecutor's office: Mike O'Malley and several of his team shared that before and upon taking office they heard some concerns about cases in the juvenile sex crimes unit and how they were being handled. These concerns came

separately from a Cleveland Rape Crisis advocate and from a detective from a suburban police department. The concerns were that cases were moving slowly or not being charged at all. Prosecutors newly deployed to that unit reviewed cases going back to 2014 and said they found some cases that appear to have been "shelved" meaning that they came into the system, were forwarded to prosecutors in that unit and no decision was made on whether to charge the case or to not charge the case based on the evidence. They said not all cases were entered into their Justice Matters computer system so they are still working to ID cases and that so far where, for some reason, no decision was made:

2014: 7 total, 4 rape, 2 GSI and 1 Child Endangering

2015: 5 total, 2 rape, 3 GSI

2016: 32 total, 17 rape, 15 GSI

2017: 10 total, 3 rape, 7 GSI

It is unclear to me whether it would be appropriate to look at cases from 2017 at this point because they would be so new. As for 2016, the question might be the same for cases late in the year. They did not provide the dates the cases were reported for me to determine that.

Prosecutors office says they can find no pattern to these cases and they they include cases mostly from the city but also from the suburbs. The cases range from sexting to the reported rape of an infant. They also involve some tough situations with very young reported perpetrators, relatives and people who are both accused of sex crimes and were also victims of sex crimes.

When I asked if they thought the issue was malfeasance or disorganization, they said both. They did not reach out to discuss this with Duane Deskins, who was in charge there and is now with the city. They called in Robin Beltcher and Ralph Kolasinky (sp?), who were in charge of supervising and managing the unit and questioned them and they did not have sufficient answers and will be going through internal discipline in the office.

The also shared what they are doing to make sure things are better handled in the future. Meanwhile, they will be reaching out to families and victims and deciding what to do with the cases. It is clear some will not likely result in charged but some will I also talked to the other folks involved in this and here is what they would say for a story:

Duane Deskins, former head of the juvenile unit, now with the city of Cleveland If cases were not entered into the county prosecutor's tracking system, they should have been and prosecutors were instructed to do so.

That when he got there in Dec. 2013 there was no sex crimes unit and there were issues with how cases were being handled. He said that was brought to his attention by the court. Robin Beltcher was brought to run the unit in spring/summer 2014 and

was very dedicated. Many cases were coming in without the appropriate amount of investigation done for charges or even full suspect names, especially with CPD. He suggested forming the unit so that those cases would get special attention and be handled evenly. Some he pushed for warrants on and some they pressed for more work to develop the case so it was chargeable. He said if it is being said they were "shelving" cases that was not true. He said hundreds and hundreds of sex crimes cases come in each year for review.

On the juvenile court's web site all they have are number of charges in cases. In general the number of all types of *cases* and number of *charges* has gone down in recent years. For sex crimes the total number of charges has gone up.

2015: 600, 2014: 497, 2013: 375. Prosecutor's office site didn't have breakdowns for sex crimes.

Kristin Sweeney, administrative judge:

Sweeney said she cannot speak to what was happening between the prosecutor's office and CPD and the quality of cases coming in. She said the serious sex crimes cases and detention center cases have always gone to prosecutors under both intake systems, with the exceptions of sexting cases, which they had formed a special program for.

She said the MOU and intake process agreed upon in 2015 was made to make sure Cleveland and suburban cases were being decided using the same standards and that that process was not without flaw and needed to be worked on.

Sweeney said she did hear frustrations from police and others about the slow pace of cases in terms of charging. She had some concerns but was not alarmed. Part of it might have been a federal court mindset, rather than a juvenile court mindset where action needs to happen quickly. She does not have an idea, really, how many cases where charges might have been delayed but indicated that it might not be as many as I mentioned.

Cleveland Rape Crisis Center:

They did bring this to the attention of prosecutors that there were enough cases to prompt a "serious concern" about cases in which they were involved as advocates. They don't know the full number of cases.

Here's what they would be willing to say about the situation.

Since 2010, Cleveland Rape Crisis Center has employed a Victim Specialist who is stationed at the Cuyahoga County Prosecutor Office's Juvenile Division. This person's role is to advocate for the survivor, serve as an emotional support for the survivor and her or his family members and be a liaison to the criminal justice system, including prosecutors.

As happens regularly, we inquired with prosecutors when we noticed individual cases that were not progressing in a timely manner. Over time, we noticed a pattern and, most recently, brought it to the attention of the Prosecutor's Office.

Since then, the Prosecutor's Office has asked Cleveland Rape Crisis Center to work closely with their prosecutors to notify families about the status of their cases and continue our advocacy role with these children and families. We agreed that we have expertise that can be helpful. Any outreach to victims and their families should be done in a trauma-sensitive way to minimize the negative impact that this news could have on a family and especially on a child who has been hurt. Cleveland Rape Crisis Center stands by ready to assist any families who need support or information.

Thanks and let me know where thoughts end up on this. I'd be fine with writing something that contains all perspective, sharing information or working collaborative with AO reporters if they think the story merits it.

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