

IN THE COURT OF COMMON PLEAS, UNION COUNTY, OHIO

State of Ohio

-VS-

Case No. 24-CR-0150

John Charles Denzel,

Judge Mark S. O'Connor

Defendant.

**JOURNAL ENTRY OF
SENTENCE**

On December 4, 2024, Defendant appeared in Court with his attorney, Jonathan T. Tyack. The State was represented by Andrew Bigler, Assistant Union County Prosecuting Attorney. The Defendant was fully advised of his procedural due process rights and thereafter knowingly, intelligently and voluntarily waived those rights and entered a plea of Guilty to:

Count One, the offense of Pandering Sexually-Oriented Matter Involving a Minor or Impaired Person, in violation of Ohio Revised Code Section 2907.322(A)(5),(C), a felony of the fourth degree;

Count Two, the offense of Pandering Sexually-Oriented Matter Involving a Minor or Impaired Person, in violation of Ohio Revised Code Section 2907.322(A)(5),(C), a felony of the fourth degree;

Count Three, the offense of Pandering Sexually-Oriented Matter Involving a Minor or Impaired Person, in violation of Ohio Revised Code Section 2907.322(A)(5),(C), a felony of the fourth degree;

Count Four, the offense of Pandering Sexually-Oriented Matter Involving a Minor or Impaired Person, in violation of Ohio Revised Code Section 2907.322(A)(5),(C), a felony of the fourth degree;

Count Five, the offense of Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance,

in violation of Ohio Revised Code Section

2907.323(A)(3),(B), a felony of the fifth degree;

Count Six, the offense of Illegal Use of Minor or
Impaired Person in Nudity-Oriented Material or Performance,
in violation of Ohio Revised Code Section

2907.323(A)(3),(B), a felony of the fifth degree;

Count Seven, the offense of Illegal Use of Minor or
Impaired Person in Nudity-Oriented Material or Performance,
in violation of Ohio Revised Code Section

2907.323(A)(3),(B), a felony of the fifth degree;

Count Eight, the offense of Illegal Use of Minor or
Impaired Person in Nudity-Oriented Material or Performance,
in violation of Ohio Revised Code Section

2907.323(A)(3),(B), a felony of the fifth degree;

Count Nine, the offense of Illegal Use of Minor or
Impaired Person in Nudity-Oriented Material or Performance,
in violation of Ohio Revised Code Section

2907.323(A)(3),(B), a felony of the fifth degree;

Count Ten, the offense of Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance, in violation of Ohio Revised Code Section 2907.323(A)(3),(B), a felony of the fifth degree;

Count Eleven, the offense of Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance, in violation of Ohio Revised Code Section 2907.323(A)(3),(B), a felony of the fifth degree;

Count Twelve, the offense of Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance, in violation of Ohio Revised Code Section 2907.323(A)(3),(B), a felony of the fifth degree;

Count Thirteen, the offense of Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance, in violation of Ohio Revised Code Section 2907.323(A)(3),(B), a felony of the fifth degree;

Count Fourteen, the offense of Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance,

in violation of Ohio Revised Code Section

2907.323(A)(3),(B), a felony of the fifth degree; and

Count Fifteen, the offense of Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance, in violation of Ohio Revised Code Section

2907.323(A)(3),(B), a felony of the fifth degree.

Thereupon, the Court found the Defendant guilty of:

Count One, the offense of Pandering Sexually-Oriented Matter Involving a Minor or Impaired Person, in violation of Ohio Revised Code Section 2907.322(A)(5),(C), a felony of the fourth degree;

Count Two, the offense of Pandering Sexually-Oriented Matter Involving a Minor or Impaired Person, in violation of Ohio Revised Code Section 2907.322(A)(5),(C), a felony of the fourth degree;

Count Three, the offense of Pandering Sexually-Oriented Matter Involving a Minor or Impaired Person, in violation of Ohio Revised Code Section 2907.322(A)(5),(C), a felony of the fourth degree;

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Count Six, the offense of Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance, in violation of Ohio Revised Code Section 2907.323(A)(3),(B), a felony of the fifth degree;

Count Seven, the offense of Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance, in violation of Ohio Revised Code Section 2907.323(A)(3),(B), a felony of the fifth degree;

Count Eight, the offense of Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance,

in violation of Ohio Revised Code Section

2907.323(A)(3),(B), a felony of the fifth degree;

Count Nine, the offense of Illegal Use of Minor or
Impaired Person in Nudity-Oriented Material or Performance,
in violation of Ohio Revised Code Section

2907.323(A)(3),(B), a felony of the fifth degree;

Count Ten, the offense of Illegal Use of Minor or
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Count Fourteen, the offense of Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance, in violation of Ohio Revised Code Section 2907.323(A)(3),(B), a felony of the fifth degree; and

Count Fifteen, the offense of Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance, in violation of Ohio Revised Code Section 2907.323(A)(3),(B), a felony of the fifth degree.

On February 5, 2025, this matter came on for sentencing with the same parties present, a PSI having been completed and tendered to the Court.

The Defendant was given the opportunity to speak and to present witnesses, and afforded all rights pursuant to Crim. R. 32.

The Court has considered the record, oral statements, the presentence investigation, the Defendant's sentencing memorandum, the purposes and principles of sentencing under R.C. 2929.11, the seriousness and recidivism factors relevant to the offenses and offender pursuant to R.C. 2929.12, and the need for deterrence, incapacitation, rehabilitation and restitution.

The Court is guided by the overriding purposes of felony sentencing, including protection of the public from future crime by the offender and others and punishment of the offender, using the minimum sanctions that the court determines accomplish those purposes without imposing an unnecessary burden on state or local government resources. R.C 2929.11.

The Court further finds that the defendant was born on October 15, 1963. He is 61 years old and has no prior adult or juvenile record. The PSI finds that he has an ORAS

score of 12, recommending that he be placed on Community Control.

Based upon the findings and recommendation of the PSI writer and the arguments and evidence presented, the Court finds that:

(a) That a sanction other than a prison term would adequately punish the offender and protect the public from future criminal violations by the eligible offender because the applicable factors indicating a lesser likelihood of recidivism outweigh the applicable factors indicating a greater likelihood of recidivism; and

(b) That a sanction other than a prison term would not demean the seriousness of the offense because factors indicating that the eligible offender's conduct in committing the offense was less serious than conduct normally constituting the offense outweigh factors indicating that the eligible offender's conduct was more serious than conduct normally constituting the offense.

It is therefore **ORDERED, ADJUDGED AND DECREED**
that Defendant be sentenced as follows:

On each of Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, Defendant is placed on Community Control for a period of FIVE (5) YEARS.

The terms and conditions of Community Control shall be as follows:

1. Defendant is placed under the general control and supervision of the Union County Probation Department. Defendant shall abide by the terms and conditions imposed by this Court and his Community Control Officer and shall not violate any laws of the United States, the State of Ohio, or of any municipality, township or village, nor shall the Defendant leave the state without the permission of the court or the Defendant's Community Control Officer.
2. Defendant shall report to his Community Control Officer immediately, and thereafter as directed.
3. Defendant shall be assessed for and if accepted shall reside at and successfully complete the program at the River City Community Based Correctional Facility (CBCF) located at Cincinnati, Ohio. The duration of the defendant's residency shall be determined by the staff at CBCF, but in any event shall not exceed 180 days. The defendant shall comply with all rules, policies, and procedures associated with residency at the CBCF. It is

Ordered that on the date set for admission, the Union County Sheriff shall convey the defendant from jail to the CBCF between the hours of 8 am and 3:30 pm. This Entry shall be considered a warrant to convey.

4. Defendant is sentenced to the Tri-County Regional Jail for an additional 45 days or until he is admitted to the CBCF, whichever first occurs.
5. Defendant is notified that if he is unsuccessfully discharged from the CBCF, he will be incarcerated in the Tri-County Regional Jail until such time as a Community Control Violation can be filed and he can be brought before the Court to answer for said charges.
6. Defendant is notified that if he is not accepted into the River City CBCF program, the matter will be scheduled for resentencing.
7. Defendant shall have no unsupervised access to children.
8. Defendant shall be closely supervised and held accountable for his behavior by his Community Control Officer.
9. Defendant shall have no unsupervised use of the computer.
10. Defendant is precluded from baby-sitting under all circumstances.
11. Defendant shall have no access to young children or potential victims without direct supervision by a responsible adult who is aware of the problem.

12. Defendant shall have no authority or supervisory role over young children (for example in school, church, or job activities).
13. Defendant shall not possess or use sexually explicit, "X-rated" or pornographic materials.
14. Defendant shall undergo random drug screens and participate in such alcohol/drug/mental health programs at his sole cost and expense, as his Community Control Officer shall determine and order.
15. Defendant shall attend and successfully complete Sex Offender Counseling and Thinking for a Change through the Union County JRIG program and thereafter shall attend and complete any further treatment and/or counseling that is recommended.
16. Defendant is given 3 days jail time credit as of February 5, 2025.
17. Defendant shall perform 100 hours of Community Service.
18. Defendant shall pay for any stay in Tri-County Jail under the provisions of R.C. 2929.18 through the office of Treasurer of Union County.
19. Defendant shall pay a supervision fee of \$20.00 each month, on or before the 5th day of each month, through the Union County Clerk of Courts, beginning on the first day of the month following his release from the CBCF.
20. Defendant shall pay all court costs, costs of prosecution, and fees permitted pursuant to R.C. 2929.18, all for which judgment is hereby rendered

against the Defendant. If there is insufficient money to pay the expenses out of the Defendant's bail, then the Defendant will be responsible to pay them. All payments shall be made to the Union County Clerk of Courts.

21. Defendant is notified as required by R.C. 2947.23 that:

(a) If the defendant fails to pay that judgment or fails to timely make payments towards that judgment under a payment schedule approved by the court, the court may order the defendant to perform community service until the judgment is paid or until the court is satisfied that the defendant is in compliance with the approved payment schedule.

(b) If the court orders the defendant to perform the community service, the defendant will receive credit upon the judgment at the specified hourly credit rate of \$12 per hour for each hour of community service performed, and each hour of community service performed will reduce the judgment by that amount.

22. Defendant shall not ingest or be injected with a drug of abuse or alcohol and shall submit to random drug testing as his Community Control Officer or the Court shall determine and order, the results of which shall indicate that the Defendant did not ingest or was not injected with a drug of abuse and did not consume alcohol.

23. Defendant shall provide a DNA sample and fingerprints to the Sheriff of Union County if requested to do so.

22. Defendant is notified that if he violates any term or condition of Community Control, commits a violation of any law, or if he leaves this state without the permission of the court or the offender's community control officer, the Court may impose a more restrictive sanction, or will impose a prison term on the Defendant as follows:

On Count 1, no less than 6 months and no greater than 18 months in prison.

On Count 2, no less than 6 months and no greater than 18 months in prison, to be served consecutive to Count 1.

On Count 3, no less than 6 months and no greater than 18 months in prison, to be served consecutive to Counts 1 and 2.

On Count 4, no less than 6 months and no greater than 18 months in prison, to be served consecutive to Counts 1, 2, and 3.

On Count 5, no less than 6 months and no greater than 12 months in prison, to be served consecutive to Counts 1, 2, 3, and 4.

On Count 6, no less than 6 months and no greater than 12 months in prison, to be served consecutive to Counts 1, 2, 3, 4, and 5.

On Count 7, no less than 6 months and no greater than 12 months in prison, to be served consecutive to Counts 1, 2, 3, 4, 5, and 6.

On Count 8, no less than 6 months and no greater than 12 months in prison, to be served consecutive to Counts 1, 2, 3, 4, 5, 6, and 7.

On Count 9, no less than 6 months and no greater than 12 months in prison, to be served consecutive to Counts 1, 2, 3, 4, 5, 6, 7, and 8.

On Count 10, no less than 6 months and no greater than 12 months in prison, to be served consecutive to Counts 1, 2, 3, 4, 5, 6, 7, 8, and 9.

On Count 11, no less than 6 months and no greater than 12 months in prison, to be served consecutive to Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10.

On Count 12, no less than 6 months and no greater than 12 months in prison, to be served consecutive to Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11.

On Count 13, no less than 6 months and no greater than 12 months in prison, to be served consecutive to Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12.

On Count 14, no less than 6 months and no greater than 12 months in prison, to be served consecutive to Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

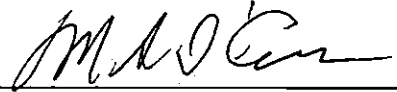
On Count 15, no less than 6 months and no greater than 12 months in prison, to be served consecutive to Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14.

23. Defendant is hereby classified as a Tier II sex offender and is required to register for a period of twenty-five (25) years with in-person verification every 180 days, and as more fully set forth in the separate order of the Court filed contemporaneously herewith.

24. Defendant is further advised that he may appeal the proceedings herein within 30 days of this date.

25. Bond is released.

26. Defendant is remanded to the custody of the Union
County Sheriff.



Mark S. O'Connor, Judge
By assignment

copies to:

Mark S. O'Connor
By Assignment

Defendant
Jonathan T. Tyack, Esq., Attorney for Defendant
Prosecuting Attorney
Union County Probation Department
Tri-County Regional Jail
River City CBCF

Kachelle Van Buskirk

From: Kachelle Van Buskirk
Sent: Wednesday, February 5, 2025 2:56 PM
To: Adult Probation; ucpc@tricojl.com
Cc: Martha
Subject: 24cr0150, DENZEL, JOURNAL ENTRY OF SENTENCE
Attachments: SKM_C450i25020514500.pdf

24cr0150, DENZEL, JOURNAL ENTRY OF SENTENCE

From: bizhub808@co.union.oh.us <bizhub808@co.union.oh.us>
Sent: Wednesday, February 5, 2025 2:51 PM
To: Kachelle Van Buskirk <kvanbuskirk@unioncountyohio.gov>
Subject: Message from KM_C450i