

The Columbus Dispatch

Ohio's Greatest Online Newspaper

DEER-DECOY PRANK

Teenagers to serve time - after football

Kenton athletes caused wreck that seriously injured 2 others; judge delays 60-day sentences

Wednesday, August 16, 2006

Holly Zachariah
THE COLUMBUS DISPATCH

KENTON, Ohio — Two teenagers who pulled a stunt last winter that left a man physically disabled and his friend brain-damaged will each spend 60 days in juvenile detention, but not before they finish the upcoming high-school football season.

Judge Gary F. McKinley told a standing-room-only crowd in his courtroom yesterday that he knows his decision to allow standout Kenton High School athletes Dailyn Campbell, 16, and Jesse Howard, 17, to play sports before serving their sentences will be unpopular.

Five deputies were on hand during the sentencing hearing in Hardin County Common Pleas Court, and McKinley told the emotional crowd that he would hold anyone who had an outburst in contempt.

"I'm cutting you somewhat of a break here, and the court will get criticized for this," McKinley told Campbell.

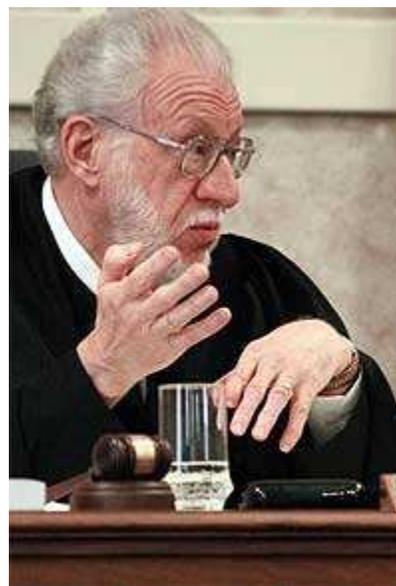
The retired Union County juvenile court judge assigned to hear the cases said he had waffled when trying to decide whether to delay any sentence until after football season.

"I shouldn't even be doing this," he told Campbell, a junior quarterback for the Kenton Wildcats, who won state titles in 2001 and 2002.

At those words, more than a dozen relatives of the two who were injured in the prank began to sob. Campbell's mother and stepfather, sitting behind the victims' families, looked relieved.

Campbell and Howard each pleaded no contest last month to two charges of vehicular vandalism. They both also pleaded to juvenile-delinquency counts of petty theft and possession of criminal tools. Prosecutors say Campbell and Howard and three others who are awaiting trial stole a decoy deer last November, painted it with obscenities and then placed it in the middle of a darkened

The Hot Issue: Should the two Kenton athletes who pleaded no contest to vehicular vandalism be allowed to play out the football season before serving their sentences?



TIM REVELL | DISPATCH

Judge Gary F. McKinley, shown here during the trial in March, told Dailyn Campbell, "I'm cutting you somewhat of a break here, and the court will get criticized for this," during Campbell's sentencing hearing yesterday for vehicular vandalism that left a man physically disabled and his friend brain-damaged.

rural road to see what would happen when drivers approached.

Robert Roby Jr., who was 18 at the time, swerved to miss the deer. His car rolled and crashed as Campbell and the other boys watched.

Both victims' families pleaded with the judge to make an example of Campbell and Howard.

"None of these guys will ever know what our sons have gone through," Roby's mother, Mary, wrote to the court. "They don't think they did anything wrong. If they get nothing for what they've done, they'll do something worse later. They need more than a slap on the wrist."

Roby nearly lost his right leg in the crash, and is facing his 11th surgery in the next few weeks, his mother said yesterday.

Robert Roby's passenger, 17-year-old Dustin Zachariah, was on life support for several days and had broken bones, two collapsed lungs and brain damage. He now has the cognitive ability of a sixth-grader, his mother, Kathy Piper, said.

In addition to the 60-day sentence, which will begin at the Logan County Juvenile Detention Center after football season, Campbell and Howard are on house arrest and will be for six months after detention; must pay fines and restitution; must write a 500-word essay on "Why I should think before I act"; and must complete 1,500 and 500 hours of community service, respectively.

McKinley suspended two, one-year terms of commitment to the Ohio Department of Youth Services for both boys, so if they violate their probation those sentences could be invoked.

Campbell was sentenced first. The victims' families left the courtroom before Howard was sentenced.

"They said they would not attend this hearing as their own way of showing protest to the previous ruling," Prosecutor Brad Bailey told McKinley. Piper had the victims' advocate read a statement, saying that the judge's ruling told her "that my son now is not only being pushed aside, but he's been forgotten."

During their hearings, Campbell and Howard apologized. Campbell, who had two previous juvenile court convictions, showed no emotion and looked only at the judge. During Campbell's apology, McKinley admonished him for mumbling.

Howard looked into the face of the victims' advocate as she read the families' statements. He wiped tears from his cheeks as he said he was sorry.

"I think every day that I hurt someone, and that hurts me inside," Howard said.

hzachariah@dispatch.com