

SUPREME COURT OF OHIO

In re P.M.S.

2026-Ohio-1543 · No. 2023-1531 · Decided May 1, 2026

SUMMARY

The Supreme Court of Ohio affirmed the Twelfth District Court of Appeals’ judgment upholding a juvenile delinquency adjudication for rape under R.C. 2907.02(A)(2). The court held that sufficient evidence supported a finding that the juvenile used force, as defined by R.C. 2901.01(A)(1), to compel the victim to submit to sexual conduct, including evidence that the juvenile physically held the victim and continued despite the victim’s objections.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Brunner, J.; Kennedy, C.J.; Fischer, J.; DeWine, J.; Deters, J.; Hawkins, J.; Shanahan, J.
JURISDICTION	Supreme Court of Ohio
DECIDED	May 1, 2026
DOCKET	2023-1531
DISPOSITION	affirmed
PROCEDURAL POSTURE	P.M.S. appealed, as of right by discretionary review, from the Twelfth District Court of Appeals' affirmance of his juvenile-delinquency adjudication for rape under R.C. 2907.02(A)(2).
STANDARD OF REVIEW	Sufficiency of the evidence is reviewed de novo. The court asks whether, viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could find the essential elements beyond a reasonable doubt.
PRECEDENTIAL VALUE	published
PARTIES	P.M.S. (referred to as Paul) v. State of Ohio

TOPICS

- criminal procedure
- evidence
- appellate procedure
- standard of review
- statutory interpretation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to prove the force element of rape under R.C. 2907.02(A)(2) in a juvenile-delinquency adjudication.
2. Whether physical force inherent in the sexual act may be considered, together with other evidence of physical compulsion or constraint, in determining whether the offender compelled the victim to submit by force.

HOLDINGS

1. The same sufficiency-of-the-evidence standard used to review adult criminal convictions applies to juvenile-delinquency adjudications, and the sufficiency question is reviewed de novo.
2. Force under R.C. 2907.02(A)(2) includes violence, compulsion, or constraint physically exerted by any means; only minimal force is necessary to support a rape conviction.
3. The evidence was sufficient for a rational trier of fact to find beyond a reasonable doubt that P.M.S. used force to compel the victim to submit to sexual conduct.

KEY QUOTATIONS

“In a sufficiency-of-the-evidence challenge, our inquiry is focused on “whether the evidence presented, when viewed in a light most favorable to the prosecution, would allow any rational trier of fact to find the essential elements of the crime beyond a reasonable doubt.”” (¶ 20)

“Under R.C. 2907.02(A)(2), force that is “physically exerted by any means,” R.C. 2901.01(A)(1), is all that is required.” (¶ 23)

“This evidence was sufficient for a rational trier of fact to conclude beyond a reasonable doubt that Paul compelled or constrained Charles in order to engage in sex with Charles without his consent.” (¶ 25)

FACTUAL BACKGROUND

P.M.S., age fourteen, and the fifteen-year-old victim lived together in a youth home. A youth-home employee overheard the victim say he did not want to engage in sexual conduct and later saw P.M.S. holding the victim around the waist and thrusting toward him behind a shed. The victim testified that he did not want the anal intercourse, told P.M.S. to stop, and felt forced because P.M.S. held his legs and hovered over him.

PROCEDURAL HISTORY

The Hamilton County Juvenile Court adjudicated P.M.S. delinquent for, among other conduct, rape based on anal intercourse compelled by force. After the juvenile court adopted the magistrate's decision, the Warren County Juvenile Court ordered disposition committing him to the custody of the Department of Youth Services for an indefinite term with a minimum period of one year. The Twelfth District Court of Appeals affirmed, and the Supreme Court of Ohio accepted P.M.S.'s discretionary appeal and affirmed.

DISPOSITION

affirmed

CASES CITED

- In re D.R., 2022-Ohio-4493, ¶ 13
- In re A.J.S., 2008-Ohio-5307, ¶ 26
- State v. Walls, 2002-Ohio-5059, ¶ 26
- In re Winship, 397 U.S. 358, 368 (1970)
- In re Watson, 47 Ohio St.3d 86, 91-92 (1989)
- In re Washington, 1998-Ohio-627, ¶ 8
- In re A.S., 2024-Ohio-731, ¶ 23 (8th Dist.)
- In re J.C., 2019-Ohio-4027, ¶ 10 (1st Dist.)
- In re Fortney, 2005-Ohio-3618, ¶ 19 (4th Dist.)
- State v. Dunn, 2024-Ohio-5742, ¶ 28
- State v. Dent, 2020-Ohio-6670, ¶ 15
- State v. Pountney, 2018-Ohio-22, ¶ 19
- State v. Jenks, 61 Ohio St.3d 259 (1991), paragraph two of the syllabus
- State v. Smith, 1997-Ohio-355, ¶ 49, fn. 4
- State v. Eskridge, 38 Ohio St.3d 56, 58-59 (1988)
- State v. Fowler, 27 Ohio App.3d 149, 154 (8th Dist.)
- State v. Labus, 102 Ohio St. 26, 38 (1921)