



## Voices for Ohio's Children Juvenile Justice Initiative Juvenile Justice Reform Bill

Voices for Ohio's Children's Juvenile Justice Initiative (JJI) is a broad-based group of individuals and organizations that seek to grow an informed, collective, community voice to advocate for the transformation of Ohio's juvenile justice system. JJI recognizes that a sound juvenile justice policy agenda rests upon an understanding of adolescent development and incorporates the following best practice standards:

- increasing the range of effective community-based alternatives to institutionalization;
- addressing the challenges of youth with special needs;
- meaningfully engaging families and youth in their care;
- improving access to legal advocates to ensure effective representation in the system, and;
- ensuring that all youth, regardless of race or income, have equal opportunities for treatment and care.

### Juvenile Justice Reform Bill

JJI has developed a reform bill to begin to address the negative effects of the "adultification" of the juvenile justice system that has occurred over the past 15 years. Beginning in the 1990's, the Ohio legislature has enacted mandatory sanctions for certain juvenile offenses, to deter violent and serious juvenile crime and to punish juvenile offenders. This has resulted in the inappropriate treatment of youth, the overcrowding of institutions, increased disproportionate minority confinement, and, in the case of mandatory bindovers, *increased* recidivism.

### Summary of the Juvenile Justice Reform Bill

The intent of JJI's proposed legislation is to restore judicial discretion to Ohio's juvenile justice system, allowing juvenile courts to once again provide individualized justice and intervention in delinquency cases. Recognizing that kids are different from adults, the juvenile court system was founded to focus on treatment, supervision, and control, rather than on punishment.

JJI's juvenile justice reform bill proposes to:

- *Eliminate mandatory transfer to adult court ("bindover")*. Currently youth are required to be transferred to the jurisdiction of adult court for certain serious offenses and/or a prior offense record. Mandatory transfers do not allow the juvenile judge to make an individualized judgment about the child's potential to be rehabilitated. Also, research has shown that youth transferred to the adult system have a higher recidivism rate than those remaining in the juvenile system for similar offenses.
- *Eliminate mandatory SYO (Serious Youth Offender) dispositions*. SYO dispositions allow the juvenile court to blend a juvenile disposition with an adult sentence for serious offenses. However, some offenses, combined with past record, mandate an SYO disposition. This does not allow the judge to make an individualized judgment.
- *Raise the age of eligibility for an SYO disposition from 10 to 14*. Children aged 10 to 13 have between 8 and 11 years to be treated and rehabilitated within the juvenile system. To believe that children this young cannot be rehabilitated speaks not to the children's amenability to treatment, but to the dysfunction of the system they are in.
- *Make only felony offenses of violence eligible for bindover and SYO*. Bindover and SYO should only apply to violent youthful offenders, not property offenders.





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- *Eliminate mandatory gun specifications* (one to three years added time for offenses committed with a gun). Gun specs do not promote the rehabilitation of juveniles in Ohio, but do add to the record-high levels of disproportionate minority confinement in DYS facilities. Additionally, gun specs are modeled directly after the adult criminal system and are, in essence, an adult sanction that is leveled on children adjudicated, without full due process protections, in the juvenile court system.
- *Allow the juvenile court to release a child who is serving time for a specification.* Currently this “specification” time for gang related offenses or guns is a mandated period of time. Allowing the court to release a child early will promote positive behavior in the institution, while reducing the amount of time that a youth stays beyond when he/she has gained maximum benefit.
- *Allow both the juvenile court and DYS to release a child after the expiration of the child's minimum term.* Currently the court can only release a youth up until the expiration of the youth's minimum sentence. This policy would increase the court's involvement with that youth.

**Status of the Juvenile Justice Reform Bill**

State Representative Tracy Maxwell Heard has been working with JJI and other interested parties on crafting and amending JJI's proposal, but the bill has not yet been introduced. There may be some changes to the bill (as described above) prior to introduction. The JJI has been vetting the bill with key stakeholders and legislators, and is seeking support from organizations, families and youth.

***Voices for Ohio's Children*** is the non-partisan voice of Ohio's nearly 3 million children. With more than 100 collaborative partners, we impact changes in public policy that improve the health, safety, education, family stability and childcare of all Ohio children and their families.

For more information, please visit us at [www.vfc-oh.org](http://www.vfc-oh.org) or 1.877.881.7860

