



Juvenile Justice Subcommittee

May 19, 2016

Meeting Notes

Attending:	Paul Dobson, Chair	Erin Davies, Vice-Chair
	Jill Beeler	Ron Burkitt
	Dustin Calhoun	Jim Cole
	Rep. Hearcel Craig	Judge Robert DeLamatre
	Kate Foulke	Judge Robert Fragale
	Kathleen Hamm	Teresa Lampl
	Ashon McKenzie	Rep. Dorothy Pelanda
	Kyle Petty	Judge Nick Selvaggio
	Scott Lundregan	John Murphy
	David Roper	Kathy Wellington
	Sara Andrews, OCSC	Jo Ellen Cline, OCSC
	Allana Smith, OCSC	

1. Chair Dobson called the meeting to order at 10:07 am.
2. Upon motion and second the committee approved the meeting notes of the April 21, 2016 meeting as submitted.
3. Director Andrews introduced Scott Lundregan, Deputy Legal Counsel, House of Representatives, to discuss concerns with H.B. 521 (juvenile extended sentences) that have been expressed by Rep. Jim Butler, Chair of the House Judiciary Committee. Testimony was heard on the bill, including opposition testimony from the Ohio Prosecuting Attorneys Association, on May 17, 2016. During the hearing the Chair and other members expressed, through their questioning, some concerns with the legislation including trauma to victims and the idea of an additional step in the process, whether the legislation goes much further than required by U.S. Supreme Court case law, and whether there should be a different standard for juveniles who are 16 – 18 than those that are under the age of 16. Committee members explained that the bill does not change any process that currently exists in the processes of the Parole Board but only changes timing and eligibility for the juvenile offenders. There was also discussion regarding the number of juvenile offenders that would be impacted by the legislation. Mr. Murphy, Director of the Ohio Prosecuting Attorneys Association, reiterated his organization's position that the legislation goes beyond what is necessary under the U.S. Supreme Court cases. Mr. Lundregan indicated he would take the committee's comments back to Rep. Butler and continue the dialogue with the Commission on the bill.



4. Vice-Chair Davies briefly discussed S.B. 297 which would keep juveniles perceived as a threat out of school, potentially indefinitely. The members of the committee expressed various concerns with the legislation and indicated they wished to continue to monitor the bill's progress in the General Assembly.
5. The committee next continued its discussion of bindovers. Upon motion and second, the committee unanimously decided to combine the factors to be considered by a judge in making the bindover decision, both those in favor of bindover and those weighing against bindover, into one language-neutral list of factors. As for specific factors the committee took the following actions:
 - a. Regarding the victim's harm and role: to keep the factor and to find a different word for "level of harm".
 - b. Regarding the offense circumstances: to keep the factor but to separate out the provisions regarding firearms into a separate factor to be considered
 - c. Regarding prior court involvement: to keep the factor as combined in the draft language;
 - d. Regarding the child's characteristics: after lengthy discussion, upon motion and second, include in addition to the drafted language a provision that there is or is not sufficient time to rehabilitate the juvenile in the juvenile system. The motion passed 10-2 (Beeler, Davies)
 - e. Regarding risk level: the committee engaged in a lengthy discussion of the relative merits of the current OYAS and whether the language should be made broader than currently drafted. Upon motion and second, the committee adopted language that will remove the specific reference to OYAS and replace it with "a standardized data-based risk assessment tool as adopted by DYS". The motion carried 11-1 (Cole).
6. The committee will continue discussing bindover factors at its next meeting scheduled for July. There being no further business, the committee adjourned at 12:00 p.m.

UPCOMING MEETINGS

Ohio Criminal Sentencing Commission

June 23, 2016

Juvenile Justice Committee

**July 21, 2016
August 18, 2016**