



CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

**Juvenile Justice Subcommittee**

July 16, 2015

Meeting Notes

Attending:	Paul Dobson, Chair	Erin Davies, Vice Chair
	Jill Beeler-Andrews	Ron Burkitt
	Dustin Calhoun	Jim Cole
	Representative Craig	Judge DeLamatre
	Teresa Lampl	Hon. Aaron Montz
	Representative Pelanda	Whitney Pesek
	Kyle Petty	Director Harvey Reed
	Cindy Peters (Sen. Thomas)	Maggie Hardy, DRC
	John Ryan, OJC	

**Staff Liaison: Jo Ellen Cline**

The meeting was called to order by Chair Dobson at 10:12 a.m. Upon motion and second the meeting notes of the June 15, 2015 meeting were approved unanimously. Chair Dobson asked members to briefly introduce themselves.

The committee began its discussion with the draft revisions to R.C. 2152.20 regarding costs in juvenile cases. Jill Beeler-Andrews and Judge DeLamatre suggested that the language be changed to include custodians and guardians after parents. Some discussion took place about whether the draft should include a definition of “parents” but the committee agreed that utilizing phrases already existing in the Revised Code is preferable. Rep. Pelanda suggested that some definition of “costs” be included in the legislation. Jo Ellen indicated that an index of all costs in the Revised Code exists in sections 2746.01 *et seq.* The committee will look at those and determine if they apply and, if so, the draft can reference those sections for definitional purposes. Thereafter, the committee, upon motion and second, approved the proposed draft as it pertains to costs for presentation to the full Commission.

The committee next described fines in juvenile cases. The committee, upon motion and second, unanimously agreed that no changes to the language regarding fines needed to be made.

The committee held a robust discussion regarding restitution in juvenile cases. The main issue was whether or not parents, guardians, and custodians should be included in the statute thereby allowing the court to impose a restitution order on the child and/or the parent. Chair

Dobson opined that the court should have the discretion to order restitution be paid by parents. This engendered a significant discussion regarding ability to pay. Jo Ellen gave the committee information regarding restitution in adult criminal actions and the committee thought that some of the adult provisions might be appropriate for the juvenile statute. The committee decided to look at the adult provisions (to be provided by Jo Ellen) and conduct a telephone conference on July 27, 2015 at 12:00 p.m. to review if parents should be subject to restitution orders and whether a youth's ability to pay should be taken into consideration for restitution and make final recommendations to the restitution section of R.C. 2152.20.

Dustin Calhoun and Kyle Petty asked the committee to consider elevating confinement credit issues on the committee's work chart because DYS is receiving ever-increasing questions about the issue. Clarifications are needed, they explained, as to what offenders can expect credit for. The committee, upon motion and second, unanimously agreed to address this issue at its September meeting.

**The full Ohio Criminal Sentencing Commission meets on August 20, 2015. The next in person meeting of the Juvenile Justice committee is scheduled for September 17, 2015 from 10 a.m. until 12 p.m.**

There being no further business to be brought before the committee, the committee, upon motion and second, adjourned at 2 p.m.