

JEFFERY S. REZABEK

CRIMINAL JUSTICE - VICE CHAIR

CIVIL JUSTICE

AGRICULTURE AND RURAL  
DEVELOPMENT

CRIMINAL SENTENCING COMMISSION

RECLAIM ADVISORY COMMITTEE



**Ohio General Assembly**  
**House of Representatives**

VERN RIFFE CENTER

77 SOUTH HIGH STREET,  
12<sup>TH</sup> FLOOR  
COLUMBUS, OH 43215-6111

T: (614) 466-2960

F: (614) 719-6940

REP43@OHIOHOUSE.GOV

**HB 394 Sponsor Testimony**

Chairman Manning, Ranking Member Celebrezze, and members of the House Criminal Justice Committee, thank you for allowing me the opportunity to provide sponsor testimony on House Bill 394, otherwise known as the juvenile omnibus bill. If enacted, this bill would make sweeping changes in the juvenile criminal justice system.

As many of you know, in my professional career, I have worked for over twenty years in the juvenile justice system dealing with many of the issues we are addressing in this piece of legislation. Therefore, I take great pride in the opportunity to bring about some much-needed changes in the system to which I respect and dedicate my time.

The bill has four major components, which are the following:

- Changing mandatory bind-overs to discretionary
- Amending juvenile court costs and restitution statutes
- Reforming confinement credits
- Eliminating life without parole for juveniles with exceptions

Two of the components, confinement credit and mandatory bind-overs, are similar to legislation introduced by Senator Thomas (SB 63 and SB 64). Additionally, they were part of the recommendations put forth by the Ohio Criminal Justice Recodification Committee.

The first component of the bill eliminates the mandatory transfer of minors to criminal court for criminal prosecution. It also eliminates reverse transfers of a case back to juvenile court for disposition orders. However, it still provides for juvenile court to have the discretion to transfer the juvenile if the juvenile court has considered a multitude of factors from the level of harm to the victim to whether or not the child is emotionally, physically, or psychologically mature enough for the transfer.

The second aspect of this bill deals with restitution and juvenile court costs. It allows for parents of a delinquent child to pay court costs or other financial sanctions and provides that the amount of fines or costs imposed not exceed what the child, parent, or both are able to pay. Additionally, for restitution, it would require a juvenile court consider alternative restoration justice or means to restitution other than cash reimbursement.

**OHIO'S 43<sup>RD</sup> HOUSE DISTRICT**

MONTGOMERY COUNTY: TROTWOOD, HARRISON TOWNSHIP, CLAYTON,  
BROOKVILLE, NEW LEBANON, PERRY TOWNSHIP  
ALL OF PREBLE COUNTY

JEFFERY S. REZABEK

CRIMINAL JUSTICE - VICE CHAIR

CIVIL JUSTICE

AGRICULTURE AND RURAL  
DEVELOPMENT

CRIMINAL SENTENCING COMMISSION

RECLAIM ADVISORY COMMITTEE



**Ohio General Assembly**  
**House of Representatives**

VERN RIFFE CENTER

77 SOUTH HIGH STREET,  
12<sup>TH</sup> FLOOR  
COLUMBUS, OH 43215-6111

T: (614) 466-2960

F: (614) 719-6940

REP43@OHIOHOUSE.GOV

House Bill 394 also clarifies what confinement credit is for the child and gives juvenile court additional jurisdiction over disputes about the child's confinement credit.

Lastly, this piece of legislation seeks to end juvenile's eligibility for life without parole with exceptions. The Ohio Supreme Court has ruled on this matter as has the US Supreme Court. Twenty other states have taken steps to comply with this ruling that has declared it unconstitutional for a variety of reasons that a child be given a sentence of life without parole. It is important to note that the possibility of parole does not guarantee release. This section of the bill mirrors HB 521 that passed out the Ohio House in the 131<sup>st</sup> General Assembly 92-4.

House Bill 394 seeks to make necessary changes to our juvenile justice system. I look forward to working with committee members and stakeholders to make this bill better and something that we can fully implement into law. Thank you, Mr. Chairman and members of the committee, for the opportunity to provide sponsor testimony on this important piece of legislation. At this time, I would be more than happy to answer any questions that you may have.

**OHIO'S 43<sup>RD</sup> HOUSE DISTRICT**

MONTGOMERY COUNTY: TROTWOOD, HARRISON TOWNSHIP, CLAYTON,  
BROOKVILLE, NEW LEBANON, PERRY TOWNSHIP  
ALL OF PREBLE COUNTY