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**Committees:**  
Judiciary – Ranking Member  
Local Government, Public Safety,  
and Veterans Affairs – Ranking Member  
Education  
Rules and Reference  
Ways and Means  
Finance Subcommittee on Higher Education

**Cecil Thomas**  
State Senator  
9th District

### **Sponsor Testimony**

#### **Senate Concurrent Resolution 10**

Thank you, Chairman Bacon, Vice Chair Dolan, and Committee Members for allowing me to speak on SCR 10 which recognizes 2017 as the 50<sup>th</sup> anniversary of *In re Gault*.

In 1967, the U.S. Supreme Court ruled in an 8-1 decision to grant juveniles accused of crimes in delinquency proceedings the same due process rights as adults. Three years prior to this historic decision known as *In re Gault*, fifteen-year-old Gerald Gault was accused of making a prank call to a neighbor and taken into custody without his parents being notified. He was never advised of his constitutional rights, appointed counsel, granted the opportunity to confront his accuser, or given the right to appeal his case. Without the same constitutional provisions as adults to protect him, Gault was consequently sentenced to a state youth correctional agency for six years, until he reached the age of 21.

His case was taken to the U.S. Supreme Court where it was determined that juveniles were entitled to certain procedural rights in delinquency proceedings, under the Due Process Clause of the Fourteenth Amendment. While Gerald Gault was the unfortunate catalyst to this Supreme Court decision, the court used this opportunity to emphasize the importance of due process, stating that it “is the primary and indispensable foundation of individual freedom.” The year 2017 marks the 50th anniversary of this decision and its legacy still cannot be understated today. The Gault decision has continued to protect and provide due process to all children accused of crime and was the beginning of providing fair and just procedures in the juvenile justice system.