

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

S. C. R. No. 10

Senator Thomas

Cosponsors: Senators Brown, Schiavoni, Tavares, Sykes, Eklund

A C O N C U R R E N T R E S O L U T I O N

To recognize 2017 as the fiftieth anniversary of In re 1
Gault. 2

BE IT RESOLVED BY THE SENATE OF THE STATE OF OHIO (THE HOUSE OF REPRESENTATIVES CONCURRING):

WHEREAS, In 1964, Gerald Gault, a fifteen-year-old boy, was 3
taken into police custody without his parents being notified, 4
was never advised of his constitutional rights, including his 5
right to appointed counsel, and ultimately, was sentenced to 6
nearly six years in a state youth correctional agency for 7
allegedly making a prank call; and 8

WHEREAS, In a landmark United States Supreme Court 9
decision, In re Gault, 387 U.S. 1 (1967), the Court found that 10
the constitutional guarantee of due process applies even when 11
children are charged as delinquents; and 12

WHEREAS, Children charged with delinquency are entitled to 13
legal representation because as the Court found, a child 14
"requires the guiding hand of counsel at every step in the 15
proceedings against him"; and 16

WHEREAS, Children charged with delinquency are entitled to 17
a timely notification of charges; and 18

WHEREAS, Children charged with delinquency have the right 19
against self-incrimination; and 20

WHEREAS, Children charged with delinquency have the right 21
to question witnesses; and 22

WHEREAS, The Office of the Ohio Public Defender provides 23
legal representation to all juveniles in all criminal and 24
delinquency matters in Ohio; and 25

WHEREAS, The year 2017 marks the fiftieth anniversary of 26
the U.S. Supreme Court's landmark decision of In re Gault; now 27
therefore be it 28

RESOLVED, That we, the members of the 132nd General 29
Assembly of the State of Ohio, recognize the legacy and 30
importance of the Gault decision, recognize the necessity of 31
providing due process to all children accused of a crime in 32
Ohio, and commend the continuing mission of the Ohio Office of 33
the Public Defender to provide legal representation to every 34
child charged with an act of delinquency; and be it further 35

RESOLVED, That the Clerk of the Senate transmit duly 36
authenticated copies of this resolution to the news media of 37
Ohio. 38