



Office of the Ohio Public Defender

Timothy Young, State Public Defender

Testimony in Support of SB288 Transitional Resources for Youth Aging out of DYS Sponsor Senator Manning

Chairman Manning, Vice Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee. My name is Madalynn Helmig, and I am a legal intern at the Policy and Outreach Division of the Office of the Ohio Public Defender. Thank you for the opportunity to provide written proponent testimony regarding the portion of SB288 that addresses transitional resources for youth aging out of the Department of Youth Services (DYS).

In lines 32832 - 32848, DYS is authorized to develop a program to assist a youth leaving the supervision, control, and custody of the department from age 21 until age 22. The program must provide supportive services for specific education or rehabilitative purposes, under conditions agreed upon by both DYS and the youth and terminable by either. These services must be offered prior to discharge, but youth may request the services described up to 90 days after the youth's effective date of discharge, even if the youth has previously declined services. Participation in these offered services shall not be construed as extending control over the child.

This bill is critical for these young adults as their brains are not yet fully developed, which can make them more susceptible to criminal behavior. Neuroscience proved the parts of the brain that govern risk and reward are not fully developed until around age 25.¹ Even the Supreme Court noted in a landmark decision that juveniles' brains are not fully developed, and youths are more susceptible than adults to peer pressure, more impulsive, more likely to take risks, less likely to consider long-term consequences, and more amenable to rehabilitation.² All of these factors support the conclusion that rather than throwing Ohio's youth out to sink-or-swim when they age out of DYS, we should send them out with a flotation device to prevent them from drowning as they reenter society as a young adult. Providing one year of transitional resources to help get them back on their feet could make an immense difference in this period of their lives.

Supporting young people during this vulnerable time is important as people tend to commit criminal offenses when they are younger and age out of criminal behavior as they mature. Once the brain fully develops around age 25, lawbreaking drops off.³ Young adults, because of their impulsive, emotional responses, are more likely to commit crimes than older adults. Researchers found that crime increases throughout adolescence and then declines for the rest of their lives.⁴ Poverty is also associated with criminal behavior and youth are more

¹Goldstein, The Marshall Project, <https://www.themarshallproject.org/2015/03/20/too-old-to-commit-crime#:~:text=Criminal%20careers%20are%20short%20for,more%20likely%20to%20commit%20crimes>.

²*Roper v. Simmons*, 543 U.S. 551 (2005).

³Goldstein, The Marshall Project, <https://www.themarshallproject.org/2015/03/20/too-old-to-commit-crime>.

⁴Cornelius, Lynch, Gore, *Aging Out of Crime: Exploring the Relationship Between Age and Crime with Agent Based Modeling*, https://scs.org/wp-content/uploads/2017/06/6_Final_Manuscript.pdf.

likely to live in poverty than adults, a circumstance that is out of their control, which can heighten their risk of criminal behavior.⁵ By assisting these youth with services as they transition out of DYS, we would get them on their feet to start a successful adult life.

Finally, I want to emphasize how this bill will make our own communities safer throughout Ohio. By providing these necessary transitional services, the rate of recidivism will drop. Less youth will be put in the predicament of participating in criminal behavior because they lack their basic needs. These services can provide transitional housing for youth, secure employment, enroll in school or college, participate in community service, and set them up with mental and physical healthcare. In passing SB288, we will make our communities safer and our youth more successful.

Thank you for the opportunity to provide proponent written testimony in support of extending transitional resources for youth aging out of DYS.

⁵Harris and Kearney, *The Unequal Burden of Crime and Incarceration on America's Poor*, Brookings, <https://www.brookings.edu/blog/up-front/2014/04/28/the-unequal-burden-of-crime-and-incarceration-on-americas-poor/>.

