



**House Bill 96 Testimony to the Ohio House of Representatives
Children and Human Services Committee
TaKasha Smith, Executive Director, Juvenile Justice Coalition**

Thank you Chair White, Vice Chair Salvo, Ranking Member Lett, and members of the Children and Human Services Committee for your time and thoughtful consideration as we discuss House Bill 96. My name is TaKasha Smith, and I serve as the Executive Director of the Juvenile Justice Coalition which exists to educate the public, organize individuals, families, and communities, and influence policy all in the name of creating a more equitable and restorative juvenile justice system.

I offer this testimony to you today, because though the Department of Youth Service's testimony is being heard in the Public Safety Committee, everyone in this room should have a vested interest in what happens to the youth that come into contact with the justice system. They aren't "other youth" or "separate youth". They aren't anyone else's problem. Our families, our communities, and our state need our children to be successful. We need **all** of our children to be successful. We need them to thrive, learn, grow, and mature into adults who will be healthy, productive, and ready to lead the next generation. The children interacting with the justice system are the same youth who are going through the foster care system, the same kids dealing with poverty and other life instability¹. As members of the Children and Human Services Committee, you have a duty to prioritize the well-being, development, and future of youth, including those in the juvenile justice system, ensuring that their needs are met with care and attention.

In that vein, there are two issues I'd like to bring to your attention today which significantly overlap with this committee's mission: (1) justice reform needed to keep our youth from reaching deep end systems and (2) the financial and policy decisions needed to support that reform.

¹ What Is The Foster Care-to-Prison Pipeline? (2018). Juvenile Law Center. Retrieved from <https://jlc.org/news/what-foster-care-prison-pipeline#:~:text=One%20study%20showed%20that%20more%20than%2090%25%20of.>



Juvenile Justice System Transformation

In 2023, a series of articles and associated media attention, spearheaded by US News & World Report, brought attention to serious inadequacies and inequalities within DYS.² These revelations culminated in Governor Dewine forming the Ohio Juvenile Justice Working Group (JJWG) to examine the state of juvenile justice and corrections in Ohio. The JJWG was comprised of 11 stakeholders with a variety of different perspectives and four legislative advisors. In September of 2024, the Governor released the final report³ of the JJWG which contained two interim recommendations and 24 final recommendations to improve efficacy, efficiency, and safety for youth and staff within the juvenile justice system. The dedicated review of extensive data and robust debates undertaken by this group have provided an excellent opportunity to identify and act on necessary changes to Ohio's juvenile justice system. I would like to highlight a few of these recommendations that will be of special interest to you.

- Recommendation 3- Transitioning to smaller, more effective juvenile facilities
- Recommendations 4 and 18- Creating a 'Coordinated Statewide Master Plan' between state agencies to improve youth outcomes and mental/behavioral health services
- Recommendations 7 and 9- Lowering DYS population through raising the minimum age for youth commitments, restricting low-level offender commitments, and expanding alternative options for non-violent offenders

I urge you all to be concerned and involved with the implementation of these recommendations, because they address the urgent need for a right-sized juvenile justice system that prioritizes rehabilitation over punishment. By focusing on alternatives to incarceration, improving mental health services, and ensuring youth remain closer to their families and communities, these recommendations aim to break the cycle of crime and support youth in their path to positive futures. Investing in these changes not only

² Boards, The Editorial. "Ohio Is Creating 'monsters' at Youth Prisons. DeWine Must Act Now to Save Kids: Our View." The Columbus Dispatch, November 12, 2023.

<https://www.dispatch.com/story/opinion/editorials/2023/11/11/ohio-dewine-fix-dys-juvenile-detention/71440064007/>.

³ Stickrath, T et al. Ohio Juvenile Justice Working Group Report, September 2024.

https://dam.assets.ohio.gov/image/upload/dys.ohio.gov/OJJWG/Report/Juvenile_Justice_Working_Group_Report_FINAL.pdf.



strengthens the well-being of our youth but also fosters a safer, more just society for us all.

Best use of RECLAIM dollars

The RECLAIM funding structure acknowledges that the best place for most struggling youth is not in a juvenile carceral facility, yet the vast majority of our RECLAIM dollars go to operating those facilities. Juvenile incarceration is expensive and characterized by racial disparities and lasting negative impacts on youth⁴. Investing in programs that address the root causes of criminal behavior can prevent deeper involvement in the justice system. Ohio should direct more funding to programs like Targeted RECLAIM, Competitive RECLAIM, and the Behavioral Health Juvenile Justice Initiative (BHJJ), which have proven to be effective in reducing recidivism and improving outcomes for youth⁵. These programs are cost-efficient and allow for more community-based, family-involved treatment. By investing in these alternatives, Ohio could help more youth rehabilitate in supportive, local environments, rather than contributing to the harmful cycle of incarceration.

When detention is necessary, we must prioritize smaller, more trauma-responsive facilities, which support safer conditions and better staff/youth and youth/youth relationships. This includes Community Correctional Facilities (CCF's) and the smaller carceral facilities recommended in the JJWG's final report.

Our state is at a critical junction in how we treat juvenile justice. Since RECLAIM was created in the early 1990s, Ohio has reduced its youth prison population as the state has shifted to prioritizing more successful investments and decreased its reliance on punishment. However, that population is steadily rising and we must counteract that

⁴ The Annie E. Casey Foundation. "Studies Show Dramatic Racial Disparities in Front End of Juvenile Justice System." The Annie E. Casey Foundation, April 20, 2021.

<https://www.aecf.org/blog/studies-show-dramatic-racial-disparities-in-front-end-of-juvenile-justice-s>.

⁵ Latessa, E. et al. Targeted Reclaim Final Report, University of Cincinnati Corrections Institute (2018) at:

https://dam.assets.ohio.gov/image/upload/dys.ohio.gov/About%20DYS/Communications/Reports/Targeted%20RECLAIM/Targeted_RECLAIM_FinalReport_20180323.pdf

Butcher, F. et al Statewide BHJJ Evaluation Executive Summary (2020) at:

<https://dam.assets.ohio.gov/image/upload/dys.ohio.gov/About%20DYS/Communications/Reports/BHJJ%20Evaluations/Statewide%20BHJJ%20Evaluation%20Executive%20Summary%202019.pdf>



trend by funding the most effective diversion programs, including Targeted RECLAIM, Competitive RECLAIM, and the BHJJ initiative. Time and research have proven how effective these programs are. Ohio's budget should reflect this.

Our recommendations are to:

- Reduce reliance on youth confinement, which does not increase community safety⁶, and use the savings to expand alternative programs. This strategy includes narrowing the kinds of youth eligible for DYS custody to the most serious safety concerns by raising the minimum age of commitment and reducing lower felony levels and mandatory sentencing schemes. We should expand demonstrably positive efforts within DYS's Targeted and Competitive RECLAIM and BHJJ, as well as adapt and adopt effective models of diversion from across the country. Funding should be flexible to foster partnerships with community members and organizations. Specifically, we ask for \$6 million to be allocated to the community programming line of the budget to support these efforts and further invest in local, evidence-based alternatives to incarceration.
- Replace large congregate-care facilities with smaller community-connected facilities that leverage local behavioral health and other resources and partners for youth. This transformation must focus on providing a more rehabilitative, relational, trauma-responsive environment for youth, with a specific emphasis on specialized services for youth based on developmental, physical, or behavioral needs. Given its current challenges, it is crucial that resources and attention be directed toward the Indian River facility for immediate facility and system transformation.
- Focus on upstream investment in programs that particularly reach low-income families and under-resourced communities that commit the most youth to DYS. Mechanisms to increase community safety long-term include adequate healthcare, high-quality education, stable employment and income, safe and affordable housing, and food assistance. Children with these protective

⁶ The Annie E. Casey Foundation. "How Youth Incarceration Undermines Public Safety." The Annie E. Casey Foundation, January 18, 2023.
<https://www.aecf.org/blog/reviewing-the-evidence-how-youth-incarceration-undermines-public-safety>.



conditions are more likely to grow into successful, productive members of society.⁷

- Fund the creation of a Community Corrections Facility in each of the three counties that commit the highest number of youth to DYS (Cuyahoga, Franklin, and Hamilton). These CCFs will allow youth to receive more appropriate care closer to home, where they can better access family and community resources.

Thank you for your attention to these concerns. I hope you will take them into consideration as you move forward with the legislative process. I am happy to take any questions you may have.

TaKasha Smith

Juvenile Justice Coalition
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⁷ Fix, R. L., Vest, N., & Thompson, K. R. (2022). Evidencing the Need to Screen for Social Determinants of Health Among Boys Entering a Juvenile Prison: A Latent Profile Analysis. *Youth Violence and Juvenile Justice*, 20(3), 187-205. <https://doi.org/10.1177/15412040221096359>