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New Ohio law to help youth offenders by reducing work, education hardships

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By Ashley Luthern

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YOUNGSTOWN

A new law intended to help adult convicts re-enter society also has implications for youth offenders, likely making it easier for them to secure jobs, housing and education, say local officials.

Gov. John Kasich signed Senate Bill 337, also known as the Collateral Sanctions Bill, on Tuesday. The bill includes numerous provisions that relate to youths, such as excluding most juvenile proceedings and adjudications from criminal record checks.

Judge Theresa Dellick of Mahoning County Juvenile Court said prior law did not permit juvenile court records to be included in background checks, but in practice they were being disclosed.

“Youth are never convicted. They can be adjudicated delinquent. We have always told them to write ‘no’ on applications that asked if an individual had been convicted of a felony,” Judge Dellick said.

Sometimes applicants would still mark yes, even if it was a juvenile case; or if they marked no, a background check might then turn up a juvenile record, she said.

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“Juvenile court is designed to rehabilitate. It shouldn’t carry over to their adult life. ... This helps pave the way for youth to become law-abiding tax-paying citizens,” Judge Dellick said.

There still are exceptions to this law, such as adjudications for aggravated murder and sex offenses that trigger mandatory reporting, she said.

The new law also expands the eligibility to have a juvenile case sealed and now allows youths to have their records expunged six months after completing their probation instead of two years. Aggravated murder, murder and rape adjudications can never be expunged, Judge Dellick said.

Atty. David Marburger, an expert in public records and The Vindicator’s legal counsel, questioned the time-frame change.

“Why are we accelerating concealing things from the public view, especially when these proceedings may have been open to the public? Why are we pretending that these adjudications didn’t happen?” Marburger said.

Advocates of the law say this provision and the background-check change are meant to help young people move on with their lives.

The new law also contains regulations that apply to juvenile detention, including youths receiving credit for time served in county detention centers, similar to the adult system. Judge Dellick said her court already gives credit for time served.

Rob Nichols, spokesman for the governor’s office, called the law’s treatment of adult and juvenile offenders common sense.

“It’s about fairness, redemption and getting people back to work,” Nichols said. “A big segment of Ohio’s population is haunted by these things that in some cases occurred a decade or two ago, instead of contributing to the community and helping with their family.”

About 2 million Ohioans — or 17 percent — have a felony or misdemeanor conviction, according to the Ohio Department of Rehabilitation and Correction.

Nichols said the new law will take effect in 90 days.

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17% of Ohioians have a criminal conviction?

That seems high.

Ignoring their past transgressions, be they minors then or not isn't equal treatment under the law.

If we seal and expunge juvenile records, then why not do the same to adult records when people have completed their court-ordered sentence?

"A big segment of Ohio's population is haunted by these things that in some cases occurred a decade or two ago, instead of contributing to the community and helping with their family."

Are we now considering a decade or two as the time limit as to when we should restore rights to convicts? That sounds like what is being proposed.

I agree something needs to be done to make more folks employable, but this sounds like a bad hole to fall into.

" likely making it easier for them to secure jobs, housing and education"

What that says is that we are making a group of youth offenders now fully able to get government money.

Since these folks have a certain risk associated with them, wouldn't it be wiser to create special lending programs just for their group like we do with many others? That way the risk is properly managed.

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