

December 11, 2017

Thank you Chairman Bacon, Vice-Chair Dolan and Ranking Member Thomas, and Senate Judiciary Committee members.

My name is Gabriella Celeste and I am the Director of Policy with the Schubert Center for Child Studies at Case Western Reserve University. Our Center has been engaged in policy improvements along the childhood continuum, from infancy to emerging adulthood, bridging research with policy, practice with education, for the well-being of children, families and the broader community. I offer this testimony in support of SB 64 as an interested party in legislation concerning matters that impact children and young people in or at risk of entering the justice system.

I have been involved in child policy and practice for over 25 years, in California, Louisiana, and for the last dozen years in Ohio. I have particular concern about transfer, as it was one of the first issues we looked at in Louisiana back in 1998. We saw, in a statute remarkably similar to this, children moved to adult jurisdictions and adult jails. And we saw the devastating consequences of these transfers with 15, 16 and 17 year olds in adult jails awaiting adult trials. We could tell then, that the outcome was dangerously wrong; but we didn't have the evidence to explain why. Since then, there has been an abundant amount of research rejecting reliance simply on the elements of a crime rather than the circumstances of the child (and the case) to decide which child goes to adult court.

Ohio's proposed mandatory bindover law:

- (1) Fails to recognize the unique neurological, cognitive and social-emotional development of youth, including the impact of trauma and abuse, peer-influence, and other critical markers of adolescence.
- (2) Removes children from a system with expertise in addressing the

Let me say a little more about each of these concerns.

First, mandatory bindover fails to take any understanding of adolescence into account by literally creating a legal fiction of "adulthood" to justify

