



Department of
Youth Services

**Message from DYS Director Harvey Reed
Collateral Sanctions Legislation Takes Effect Today**

September 28, 2012

Today the Collateral Sanctions Bill, S.B. 337 (Seitz, Smith), takes effect, providing the way for youth to have the ability to turn the corner once they leave a juvenile correctional facility. Championed by Governor Kasich, this law reduces those barriers that further impact juveniles after their release, including breach of confidentiality involving juvenile records, educational hindrances and rules that impede a youth's ability to get a job.

This legislation helps those youth who have made amends receive a fresh start upon reentry into the community. The bill provides a variety of benefits, including the following:

Sealing of Juvenile Records

- Permits an application for the sealing of juvenile records to be made at any time 6 months after a youth's discharge from parole instead of 2 years under current law
- Prohibits the court from charging a fee for the filing of an application for the sealing of the juvenile's record
- In current law there are certain offenses that are ineligible to be sealed. Under SB 337, most juvenile offenses are eligible to be sealed by the youth's judge, except Aggravated Murder, Murder and Rape.
- The new law also permits courts to consider whether the person has successfully rehabilitated for the purpose of sealing a record and whether the person has been granted a new tier classification or a declassification from the sex offender registry (Public registry-qualified juvenile offender registrants are exempted from this provision)

Confidentiality of Juvenile Records

- Under the new law, the Superintendent of the Bureau of Criminal Identification and Investigation (BCI) can only provide, in a criminal records check, offenses related to a criminal conviction or guilty plea
- This means that offenses committed as a juvenile will not be on a criminal records check except: Aggravated Murder, Murder and any sexual offenses that carried a requirement to register as a juvenile sex offender
- A bindover juvenile who is transferred back to juvenile court would also have their record protected provided that the adult portion of their sentence was not imposed

The enactment of Collateral Sanctions, which is a nationally recognized law, will provide a more effective and efficient reentry process in Ohio. This new law will give youth a true second chance, ensuring that a youth's past crime does not dictate his or her future.

Harvey J. Reed, Director
Department of Youth Services