

In FY 2020, 192 kids were tried as adults in Ohio. Almost half of them were transferred to adult court without anyone looking at the facts of their case and almost all of them were black. The Juvenile Justice Coalition has been working to end the practice of Mandatory Bindover in Ohio.

What is Mandatory Bindover?

This is the process by which a minor's case is automatically sent to adult court for adjudication without a judge considering the facts, evidence, or circumstances of a case or of the child being charged. A child as young as 14 years old can be bound over in Ohio and can be transferred to an adult jail. This practice is cruel and ineffective as a public safety measure. Children in adult jails must be separated by sight and sound from adults which means they often end up in never-ending solitary confinement, a process we know is incredibly damaging to anyone let alone a child. (Read more about the effects of solitary confinement [here](#), [here](#), and [here](#).) Children who are bound over are:

- 5x more likely to be sexually assaulted
- 8x more likely to die by suicide
- 2x more likely to be attacked by staff or other incarcerated people
- 2x more likely to suffer from mental illness compared to adults in the system
- More likely to reoffend and be sentenced to additional time than youth with the same crimes who remain in the juvenile system

Even though only about 13% of Ohio's youth are black, 80% of the children who face Mandatory Bindover are black! We know that this policy is disproportionately levied against youth of color and therefore has a devastating and recurring effect on populations and communities of color. That is an unacceptable trend and we refuse to overlook these kids the way our system is determined to.

Mandatory Bindover is an illogical lapse in the juvenile justice system. We know that children are fundamentally different than adults and should be treated as such. They have less developed brains, are more susceptible to peer pressure, and have a greater potential to grow and change than adults do! Equally important, research consistently shows that bindover only increases future re-offending of juveniles. Juvenile detention is an environment more tailored to the rehabilitation of a child, whereas adult prison is a punitive institution that leaves children in a much worse place than when they entered.

What are we doing about it?

In 2021, House Bill 500 was introduced which sought to eliminate mandatory, eliminate reverse bindovers, and modify the laws of discretionary bindovers. Discretionary Bindover is the process where a judge reviews the case, conducts an amenability process to decide if a minor should be tried as an adult and then transfers cases to adult court. Since the bill did not make it out of committee (and therefore wasn't passed in the House) before legislators left for Summer recess, we attempted to have it incorporated into the criminal law corrections bills in both the House and Senate (HB 699 and SB 288). It was unfortunately removed as part of a compromise to get the omnibus bill passed. **But we are not discouraged!** We are working on NEW legislation for this upcoming legislative cycle that would eliminate Mandatory Bindover and make it a requirement for judges to actually do the due diligence of reviewing a case before a decision is made that will have lasting detrimental effects on a child.

We are doing what we can to educate Ohioans about this issue, because ignorance is what allows a policy like Mandatory Bindover to continue. When parents, teachers, and concerned citizens learn of the policy they want to act! We just need to make sure people understand the realities and consequences of this policy. We are holding [policy hours](#), working with several other organizations in our efforts, and contacting legislators regularly to increase support for ending Mandatory Bindover.

What can you do?

Great question, thanks for asking! Legislators need to know we are paying attention to their decisions and we will fight for our kids' right to be treated as kids.

1. Sign our [petition](#) asking them to pass legislation that would eliminate Mandatory Bindover in Ohio!
2. Call the legislators with the power to protect our kids and make your support to end Mandatory Bindover known! There's a quick and easy call script and contact information for the legislators below.
3. Share the [petition link](#), this email, and our social media posts at [Instagram](#) [Facebook](#) [Twitter](#) to help us get the word out! We need to make our voices heard!

Phone Call Script

"My name is _____ and I am calling to communicate my support for eliminating mandatory bindover of youth in Ohio and to urge you to **support any legislation that ends Mandatory Bindover in Ohio**. It is very important that Ohio passes laws that protects our kids' safety and well-being, while also holding them accountable in ways that actually make our communities safer. **Children are not adults**, but mandatory bindover requires treating them like adults without any juvenile judge even looking at their case. Ending Mandatory Bindover will give Ohio's youth an opportunity to learn from their mistakes in the juvenile justice system and re-enter the world ready to be a **productive and positive force in their communities**. That is what we need more of to move Ohio towards a fairer justice system. Thank you."

Thank you for working with us to make a better Ohio for EVERY child,

TaKasha Smith
Juvenile Justice Coalition
Executive Director