



Ohio Legislative Service Commission

Bill Analysis

Aida S. Montano

H.B. 363

131st General Assembly
(As Introduced)

Reps. Reece, Antonio, Ashford, Boyce, Boyd, Kuhns, Craig, Fedor, Howse, K. Smith, Strahorn, Sykes

BILL SUMMARY

- Generally requires that restraints be removed from an alleged or adjudicated delinquent child prior to a juvenile court proceeding concerning the child.
- Provides that restraints may be placed if the court determines that they are necessary to prevent physical harm to the child or another person or to prevent the child from fleeing or attempting to flee.
- Authorizes a juvenile court to consider on a case-by-case basis a motion by a prosecutor or law enforcement officer requesting the court to place restraints on a child during a proceeding.

CONTENT AND OPERATION

Restraints on child during delinquency proceedings

The bill generally requires that restraints be removed from an alleged or adjudicated delinquent child prior to a juvenile court proceeding concerning the child. However, restraints may be placed on the child during a proceeding if the court determines that restraints are necessary to prevent physical harm to the child or another person or to prevent the child from fleeing or attempting to flee. The bill defines "restraints" to mean handcuffs, chains, irons, or other devices used to restrain a person's movements.

The presiding juvenile court judge must determine whether to place restraints on the child in a juvenile court proceeding. The court may consider on a case-by-case basis

a motion brought by a prosecutor or law enforcement officer requesting the court to place such a child in restraints during a juvenile court proceeding.¹

HISTORY

ACTION	DATE
Introduced	10-13-15

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¹ R.C. 2151.351.

