

YOUTH DEFENSE IN HAMILTON COUNTY

ANGELA CHANG, DIRECTOR,
YOUTH DEFENSE DIVISION

HAMILTON COUNTY PUBLIC
DEFENDER





ESTABLISHED 1976

- Hamilton County Public Defender Commission: 5 Members
- 2008 NLADA Report/ Resulting MOU
- HPCD Attorneys and “Panel” Attorneys
- Office:
 - 178 Employees
 - 110 Attorneys





PUBLIC DEFENSE ROLE

- Protect constitutional rights
- Hold government/police accountable
- Identify systemic issues
- Share community experience and voice
- Inform policy changes

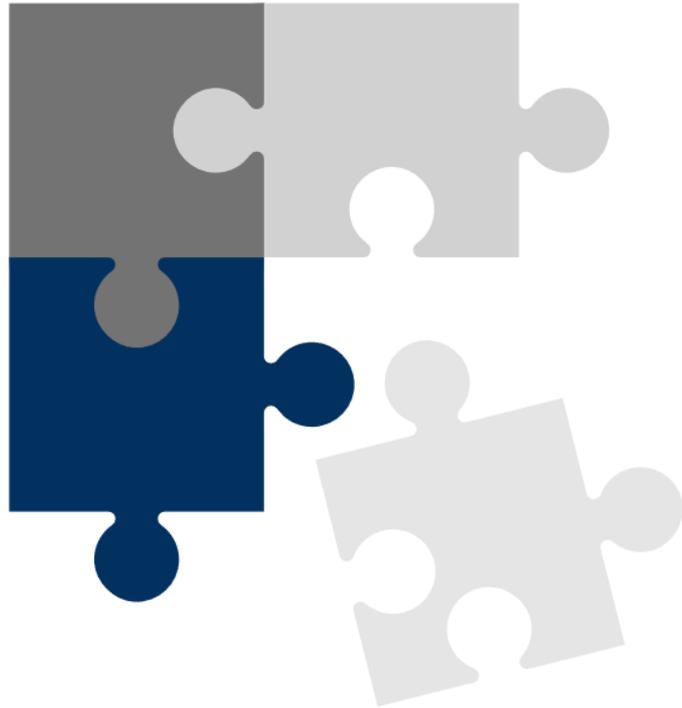
WHY YOUTH DEFENDERS?

In Re Gault (1967)- U.S. Supreme Court recognizes that children in delinquency proceedings are entitled to certain procedural safeguards under the Due Process Clause

- Hamilton County Public Defender Youth Defense Division
 - Holistic Defense Model: Social Workers, Mitigation Specialists, Civil Legal Services



INTERDISCIPLINARY TEAM FOR THE WHOLE CHILD



- Educational Advocacy
- Civil Legal Services
- Mental Health/Community Supports
- Participatory Defense
- Community Partnerships



A CHILD'S RIGHTS

- When a child's liberty interests are at stake, he or she has a constitutional **right to be represented by a lawyer**. A child should get an attorney as early in the process as possible.
- A child has a **right to remain silent** and should NOT speak to the police without an attorney present. The *child* must ask for a lawyer.
- In Ohio, all children are considered indigent and eligible for public defense representation.
- When a parent files a charge against their child, the court will require that the child have an attorney and Guardian Ad Litem.

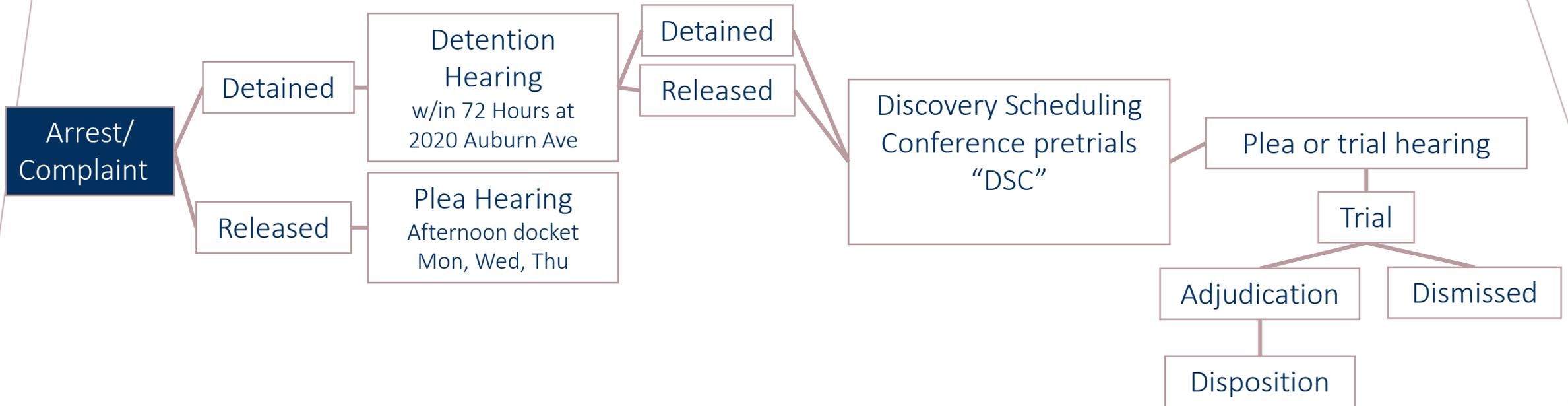


OHIO JUVENILE COURT

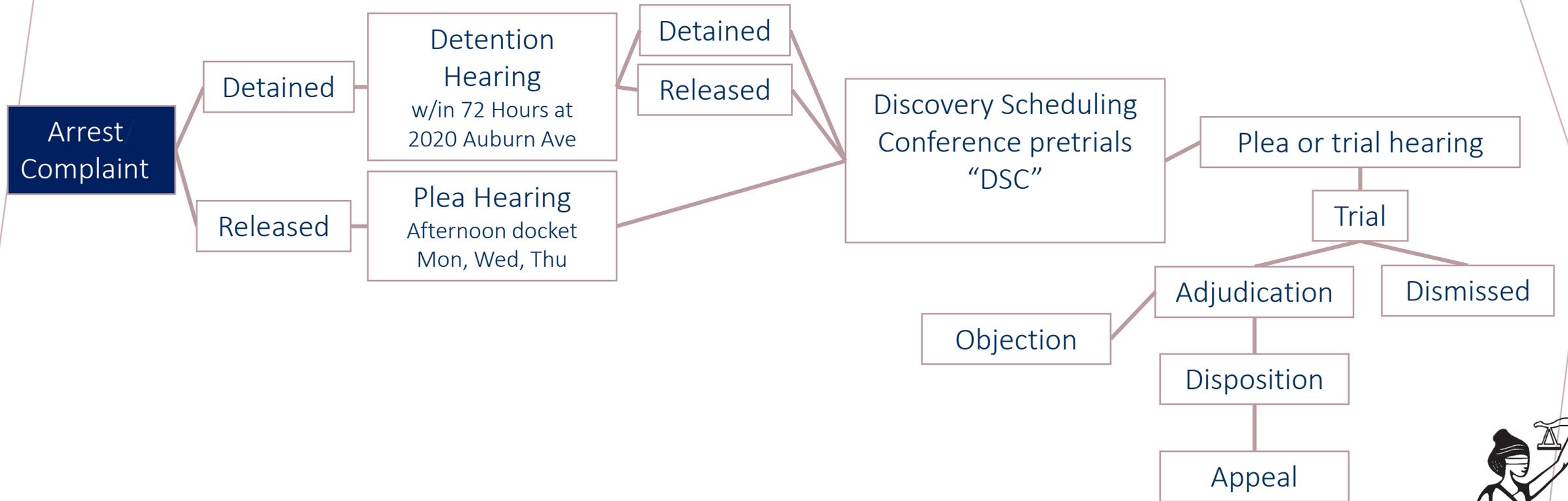
- Anyone under 18 who is accused of a crime can be charged in juvenile court
- Juvenile court is meant to focus on what's best for a child and rehabilitation, but can often be punitive
- Juvenile court records are not convictions, but can still impact your future



JUVENILE COURT PROCESS



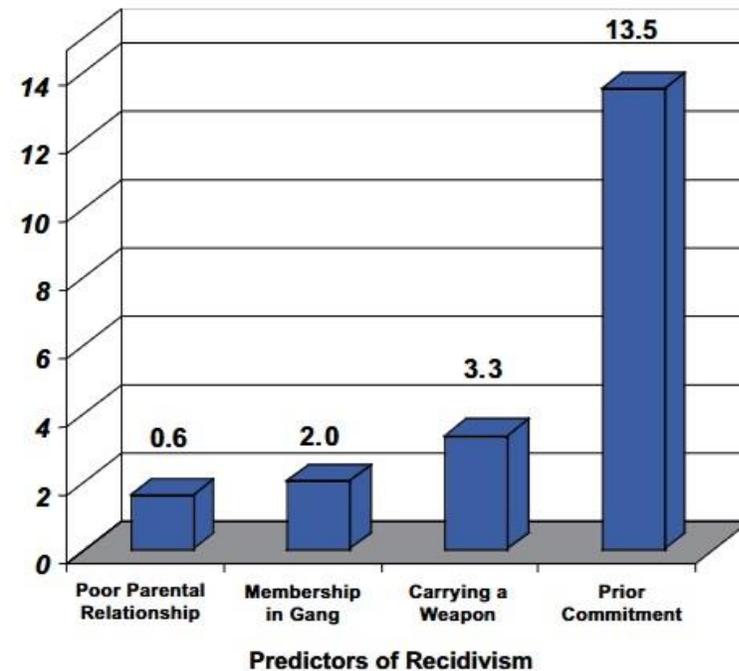
JUVENILE COURT PROCESS



THE HARMS OF DETENTION

- Detention can increase recidivism
 - Interrupts natural process of maturing/“aging out of delinquency”
 - Increases risk of self harm and exacerbates mental health
 - Interrupts education
- Disproportionately affects youth of color and youth with disabilities
- Alternatives to detention are more effective and less costly to reduce crime

Prior Incarceration was a Greater Predictor of Recidivism than Carrying a Weapon, Gang Membership, or Poor Parental Relationship



Source: Benda, B.B. and Tollet, C.L. (1999), "A Study of Recidivism of Serious and Persistent Offenders Among Adolescents." *Journal of Criminal Justice*, Vol. 27, No. 2 111-126.



JUVENILE COURT CHEAT SHEET

Plea Hearing	First appearance on a charge. The equivalent of an adult arraignment. A child is advised of their charges formally. If they are detained after arrest, the judge or magistrate will also determine if they can be released to their parent or guardian.
Admit	Juvenile court equivalent of pleading “guilty”
Deny	Juvenile court equivalent of pleading “not guilty”
Discovery Scheduling Conference (DSC)	If a child remains in detention after their plea hearing, the subsequent hearings are usually referred to as a “DSC,” which means the defense attorney is waiting for the prosecutor to provide evidence in the case.
Discovery	Evidence in a case, including but not limited to police reports, video, photographs, photo lines ups, lab results, witness statements, and 911 calls.
Plea or Trial	If a child is not held after their first appearance, their next hearing is called a plea or trial hearing. At that hearing, the parties would inform the court whether the case will resolve in a plea (of admit) or if it will proceed to trial. If the case is ready to proceed to trial, a separate trial date will be chosen. Many times, the case will not be ready to proceed either way at the first or even second plea or trial hearing.
Pre-Trial	An information conference between the court, prosecutor, and attorney to determine the status of the case or discuss issues prior to a hearing.
Disposition	The equivalent of sentencing in adult court, where there may be a consequence but should be geared towards rehabilitation of the child.
Adjudication	The equivalent of finding of “guilty” in adult court. The child would be adjudicated delinquent through a trial or through admission of guilt.
Amenability Hearing	Hearing where the judge will decide whether or not a child is “amenable” to treatment in juvenile court, or in other words, can be rehabilitated
Sealing and Expungement	A juvenile record can be sealed (not accessible to the public) or expunged (record destroyed as if it never happened)

SPECIAL ISSUES

- Competence to Stand Trial
- False/Involuntary Confessions
- Complicity
- Felony Murder
- Transfer to Adult Court
- Racial Profiling and Racial Disparities
- Prison Conditions
- Juvenile Sex Offender Classification
- Sealing and Expungement



SUGGESTED READING

- [The Age of Opportunity](#), Lawrence Steinberg
- [The Rage of Innocence](#), Kristin Henning
- Ohio Juvenile Justice Working Group Report, [2024](#), [2025 Updates](#)
- [Connections between youth mental health and the juvenile justice system](#), Health Policy Institute of Ohio (2026)
- [The Dangers of Detention](#), Justice Policy Institute (2013)
- [No Place for Kids: The Case for Reducing Juvenile Incarceration](#), Annie E. Casey Foundation
- [Highlights From Pathways to Desistance: A Longitudinal Study of Serious Adolescent Offenders](#), Edward P. Mulvey (2011)

