

# The Supreme Court of Ohio

65 SOUTH FRONT STREET, COLUMBUS, OH 43215-3431

CHIEF JUSTICE  
MAUREEN O'CONNOR

JUSTICE  
SHARON L. KENNEDY

JUSTICES  
PAUL E. PFEIFER  
TERRENCE O'DONNELL  
JUDITH ANN LANZINGER  
SHARON L. KENNEDY  
JUDITH L. FRENCH  
WILLIAM M. O'NEILL

TELEPHONE 614.387.9070  
FACSIMILE 614.387.9079  
[www.supremecourt.ohio.gov](http://www.supremecourt.ohio.gov)

October 28, 2016

**Honorable Nick A. Selvaggio**  
*Vice-Chair, Ohio Criminal Sentencing Commission*  
Champaign County Court of Common Pleas  
200 N. Main St., 2<sup>nd</sup> Floor  
Urbana, OH 43078

**Mr. Paul Dobson**  
*Chair, Juvenile Justice Committee*  
Wood County Prosecutor  
1 Courthouse Square  
Bowling Green, OH 43402

**Honorable Kenneth Spanagel**  
*Chair, Sentencing & Crim. Justice Committee*  
Parma Municipal Court  
Parma Justice Center  
5555 Powers Blvd.  
Parma, OH 44129

**Ms. Erin Davies**  
*Vice-Chair, Juvenile Justice Committee*  
Executive Director  
Ohio Juvenile Justice Coalition  
P.O. Box 477  
Bath, OH 44210

## *Re: Juvenile Sentencing Schedule*

Dear Members of the Ohio Criminal Sentencing Commission:

On Friday, October 21, 2016, I attended the Twenty-Second Judicial Conference of the Eighth Judicial District. At the conference I attended a session on Juvenile Justice entitled "All the Criminal Penalties of an Adult without the Constitutional Protection: Life without Parole, Bail, Speedy Trial, or Juries." During that presentation, there was a discussion of the application of adult sentencing guidelines to juveniles who are mandatorily bound over.

There is now a strong consensus among developmental neuroscientists that the period of adolescent brain development does not end until well into early adulthood. Incontrovertible evidence demonstrates that it is not until around the age of 25 that important changes in brain structure and function have taken place, enabling a person to

perform higher-order cognitive functions such as decision making, regulating emotions, controlling impulses, planning ahead, and weighing risks and rewards.

[http://harris.uchicago.edu/sites/default/files/Should%20the%20Science%20of%20Adolescent%20Brain%20Development%20Inform%20Public%20Policy%20\(Issues%20in%20Sci%20and%20Tech\).pdf](http://harris.uchicago.edu/sites/default/files/Should%20the%20Science%20of%20Adolescent%20Brain%20Development%20Inform%20Public%20Policy%20(Issues%20in%20Sci%20and%20Tech).pdf)

Given the scientific evidence, I am asking the Ohio Criminal Sentencing Commission to immediately begin analyzing that evidence and create a pragmatic sentencing schedule recommendation to present to the General Assembly.

Also included here is the contact information for Administrative Judge Kristin W. Sweeney and Judge Denise N. Rini, both of Cuyahoga County Court of Common Pleas Court, Juvenile Division, who facilitated the seminar discussion, as well as panel members Scott Zarzycki of Cuyahoga County Prosecutor's Office Juvenile Division and Ashley Stebbins of Cuyahoga County Public Defender's Office Juvenile Division:

Judge Kristin Sweeney  
Judge Denise Rini  
Cuyahoga County Court of Common Pleas, Juvenile Division  
Juvenile Justice Center  
9300 Quincy Ave.  
Cleveland, OH 44106  
(216) 443.8411 (Judge Sweeney)  
(216) 443.8407 (Judge Rini)

Scott Zarzycki, Assistant Prosecutor  
Cuyahoga County Prosecutor's Office, Juvenile Division  
Juvenile Justice Center  
9300 Quincy Avenue, 4th Floor  
Cleveland, Ohio 44106  
(216) 443-3407

Ashley Stebbins, Attorney  
Cuyahoga County Public Defender's Office, Juvenile Division  
Courthouse Square  
310 Lakeside Avenue, Suite 400  
Cleveland OH 44113  
(216) 443-7295

Thank you for considering this matter.

Sincerely,



Sharon L. Kennedy

/clr

cc: Judge Kristin W. Sweeney

Judge Denise N. Rini

Scott Zarzycki

Ashley Stebbins

Gabriella Celeste, Policy Director, Adjunct Assistant Professor, and Co-Director of  
Childhood Studies, Case Western Reserve University

Jill Beeler, Director of Appellate Services, Office of the Ohio Public Defender

Brooke Burns, Chief Counsel, Office of the Ohio Public Defender, Juvenile Dept.