

As Reported by the House Judiciary Committee

131st General Assembly

Regular Session

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H. B. No. 363

Representative Reece

**Cosponsors: Representatives Antonio, Ashford, Boyce, Boyd, Kuhns, Craig,
Fedor, Howse, Smith, K., Strahorn, Sykes**

A BILL

To enact section 2151.351 of the Revised Code to
require restraints to be removed from an alleged
or adjudicated delinquent child prior to the
commencement of a juvenile court hearing or
proceeding unless the court determines that the
use of restraints is necessary to prevent
physical harm to the child or another person or
to prevent the child from escaping.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 2151.351 of the Revised Code be
enacted to read as follows:

Sec. 2151.351. (A) Except as provided in division (B) of
this section, restraints shall be removed from an alleged or
adjudicated delinquent child prior to the commencement of a
juvenile court hearing or proceeding concerning the child.

(B) Restraints may be placed on an alleged or adjudicated
delinquent child during a juvenile court hearing or proceeding
if the court determines that restraints are necessary for either

<u>of the following:</u>	18
<u>(1) To prevent physical harm to the child or another</u>	19
<u>person;</u>	20
<u>(2) To prevent the child from fleeing or attempting to</u>	21
<u>flee the hearing or proceeding.</u>	22
<u>(C) The presiding juvenile court judge shall determine</u>	23
<u>whether to place restraints on an alleged or adjudicated</u>	24
<u>delinquent child in a juvenile court hearing or proceeding.</u>	25
<u>(D) The juvenile court may consider on a case-by-case</u>	26
<u>basis a motion brought by a juvenile court prosecutor or law</u>	27
<u>enforcement officer requesting the court to place an alleged or</u>	28
<u>adjudicated delinquent child in restraints during a juvenile</u>	29
<u>court hearing or proceeding.</u>	30
<u>(E) As used in this section, "restraints" means handcuffs,</u>	31
<u>chains, irons, or other devices used to restrain a person's</u>	32
<u>movements.</u>	33