

Criminal Justice Issues and Prisoners' Rights

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CLEVELAND - A Factsheet by the Childrens Law Center, the Juvenile Justice Coalition, and the ACLU of Ohio shows that since 2016, the Cuyahoga County Prosecutors Office has sent nearly twice as many children and cases to adult court compared to the previous five years. In 2016, 49 kids and 76 cases were sent to adult court; in 2017, 91 kids and 130 cases were sent to adult court. In 2018, rates increased again, to 100 kids and 156 cases. In the first half of 2019, 45 kids were sent to adult court, closely tracking 2018 rates. The numbers in 2017 and 2018 exceed those from 2009 and 2010, when alarmingly high rates in child bindovers prompted widespread reforms to Ohios juvenile justice system. The reforms led to historic statewide reductions in child bindovers: from 317 in 2009, to 152 in 2015. The rates from the past three years show that Cuyahoga County has returned to and surpassed pre-reform numbers.

The Factsheets findings indicate a concerning pattern of decision-making in a county that consistently leads the state in the number of bindovers each year. Adult court is almost never the right place for a child. Kids are fundamentally different from adults more physically, mentally, and emotionally malleable. We keep kids in the juvenile system whenever possible because that system is designed to meet their unique needs and to help them become productive adults, said Acena Beck, Executive Director of the Childrens Law Center. The outcomes for children in adult court, which has a punitive purpose, are much worse.

Children land in adult court in one of two ways: certain charges or past experience with the juvenile court system can trigger mandatory bindovers; other cases are at the request of the prosecutor. Either way, bindovers are almost always an exercise of prosecutorial discretion. Mandatory bindovers too often result from prosecutors seeking to charge the highest offense possible, rather than what truly fits the behavior, said Claire Chevrier, Advocacy Counsel for the ACLU of Ohio. We dont suddenly have more bad kids. Stakeholders in this system should adhere to a philosophy of rehabilitation first; yet, in Cuyahoga County we have prosecutors who aggressively press charges without regard for what research shows us is better and safer for the child and the community.

These findings have been sent to stakeholders in the system. The Childrens Law Center, The Juvenile Justice Coalition, and the ACLU of Ohio are seeking additional conversation and information to reduce the bindover rates going forward.

[The bindover factsheet is available.](#)

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