

Youth Gun Specifications (Specs) and Felony Offenses

Youth are fundamentally different from adults and require different care.

Juvenile legal systems were created to properly rehabilitate and care for youth who have been accused of or adjudicated for violating the law. Unfortunately, some policies and practices result in retributive, non-individualized care that does not support youth and their families.

What are gun specs?

- Gun Specifications (specs) are automatic additional penalties for firearm related crimes.
- These may apply to specific misdemeanor and felony offenses that may result in youth receiving longer or harsher sentences.

What do they mean for youth? ?

- Fewer opportunities for judges to **step-down** youth.
- Automatic specifications remove discretionary power from judges and assign higher, more serious offenses.
- In Ohio, guns specifications are disproportionately and overwhelmingly assigned to black males.

STEP DOWN

This refers to the practice of moving youth from more restrictive to less restrictive environments. It is important to prioritize the least harmful environments for youth to foster rehabilitation and growth.

Example: Senate Bill 97

- **SB 97 of the 131st General Assembly** is a gun specification bill that imposes mandatory offenses and sentences to individuals with prior firearm offenses and who utilized a firearm in a specific way to commit the offense
- After SB 97 was enacted in September 2016, we saw an increase in mandatory gun spec sentences for youth.

ADMISSIONS WITH GUN SPECS (historical highs and lows)

- Low of **75** in FY2013
- High of **131** in FY2017 (**SB97 effective late 2016**)
- Marginal dip in FY2020 (**84 youth**)
 - High of **143** and **144** in FY2022 and FY2024 respectively
- **Still climbing**

GUN SPEC ADMITS BY COUNTY

CUYAHOGA COUNTY HISTORICALLY ADMITS THE HIGHEST CONCENTRATION OF YOUTH WITH GUN SPECS

- Cuyahoga: **528**
- Franklin: **390**
- Hamilton: **338**
- Montgomery: **119**

CURRENT TOTAL ACTIVE CASES OF YOUTH HELD WITH GUN SPECS (333) (AS OF 3/7/25)

Housed at:

- **Cuyahoga Hills** Juvenile Correctional Facility.....**123**
- **Indian River** Juvenile Correctional Facility.....**85**
- **Circleville** Juvenile Correctional Facility.....**74**

By race:

- **Black youth: 286**
- **White youth: 22**
- **Hispanic youth: 12**

By gender:

- **322 male youth**
- **11 female youth**

WHAT IS A FELONY ELIGIBLE OFFENSE AND WHEN IS IT GIVEN TO YOUTH?

- *Juvenile felony offenses include (but are not limited to) aggravated murder, drug offenses, assault and burglary.*
- *Any crime that would result in an adult receiving a felony offense, would also result in a youth receiving a felony offense.*

TRENDS AND IMPLICATIONS

Counties to Watch

- Cuyahoga, Franklin, Hamilton, Montgomery, and Summit counties consistently have the highest concentration of youth felony adjudications and youth with gun specifications
- Again, almost all of the youth who receive felony offenses and gun specs in Ohio are black males

Total Adjudications and Commitments in 2022 and 2023

2023

- **3692** total adjudications
- *14-17yos have higher total adjudications than 18yr olds, but a higher percentage of 18yos are charged w felony offenses than the 14-16yos*
- **302** total commitments
- *Black youth and male youth are consistently overrepresented in this decades-long publicly available data set*

2022

- **3182** adjudications
- **324** commitments
- *Black youth and male youth are consistently overrepresented in this decades-long publicly available data set*

ADJUDICATION VS. COMMITMENT

Adjudication: When a child has been adjudicated, the court has come to the conclusion that the child committed the crime they were accused of. It has the same meaning as a conviction for adults

Commitment: When a child has been adjudicated and custody has been given to the state to oversee their stay and rehabilitation, like the Department of Youth Services (DYS) involved.