One of the essential lessons we can emphasize to our youth is the importance of a fresh start. A crucial step for youth to take is action to clear their juvenile record.

Fortunately, the Office of the Ohio Public Defender (OPD) is committed to helping as many people as possible gain expungement of their juvenile record. According to Matthew Trent, an Assistant Public Defender with OPD, “No one should be denied a future because of mistakes they made when they were young.”

There are many myths surrounding juvenile records. First, a person’s juvenile record does not automatically go away or get sealed when someone turns 18 years of age.

Second, youth also still have a juvenile record even if the charges against them were dropped in juvenile court or if they were found not guilty. In other words, an arrest or a charge remains on that person’s record regardless of the outcome of the charges in juvenile court.

In Ohio, sealing and expungement are addressed in law in the Ohio Revised Code 2151.355. “Seal a record” means to remove a record from the main file of similar records and to secure it in a separate file that contains only sealed records accessible only to the juvenile court. "Expunge" means to destroy, delete, and erase a record, as appropriate for the record's physical or electronic form or characteristic, so that the record is permanently irretrievable. Three juvenile offenses cannot be sealed/expunged: aggravated murder, murder, and rape.
Attorneys with OPD are available to assist youth in sealing and expungement. If youth are under 18 years of age, they can ask to have their juvenile records sealed six months after:

- Termination of any order made by court in relation to adjudication or
- Unconditional discharge from DYS/other facility or
- Court enters sex offender declassification order

If youth are 18 years of age or older, they can ask to have a juvenile record sealed after the later of:

- Termination of any order made by court in relation to adjudication or
- Unconditional discharge from DYS/other facility or
- Court enters sex offender declassification order

There is no filing fee for a person to ask the court to seal a juvenile record. The court will consider whether a youth has been satisfactorily rehabilitated, as determined by an investigation (based on age; nature of case; education and employment history; any other delinquent, unruly, or criminal behavior; and any other circumstances). The court MAY order the record sealed without a hearing if the prosecuting attorney has no objections or does not respond. If the prosecuting attorney does have objections, a hearing must be held.

By having a juvenile record sealed:

- The youth and the court can respond that no record exists, and it is as if the proceedings never occurred.
- The record shall be sealed with every office that had contact with the case.
- There are limited circumstances where the record can be accessed.

By having a record expunged:

- The court shall expunge all records that were previously sealed, either 5 years after the date of sealing, or when the youth whose records have been sealed turns 23, whichever happens first.
- Upon application, the court may expunge a record earlier.

A juvenile record imposes all sorts of roadblocks to future endeavors, from applying to school and jobs, to gaining stable housing. By encouraging sealing and expungement, we can support young Ohioans by giving them the chance to pursue an education, work, and stability.

The OPD is organizing quarterly Sealing and Expungement Clinics around the state in an effort to further help youth/former youth eliminate the collateral consequences caused by their juvenile adjudications. The clinics are open to anyone with a juvenile record, and participants will meet with attorneys who will answer questions and assist in the process of sealing and expunging their records. The DYS Southern Region District 2 Parole Office will host the first clinic:

**Friday, March 23, 2018 from 1-4 pm**
899 E. Broad St., Suite 200
Columbus, OH 43205

Drop-ins are welcome, but reservations are recommended and can be made by calling the district office at 614-466-4676. Dates and locations for additional clinics will be shared when available. For more information, please contact Heather Pugh, OPD Juvenile Department’s Re-entry Program Administrator, at (614) 307-7267 or Heather.Pugh@opd.ohio.gov.