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Neutral Testimony to the House Committee on Corrections and Juvenile Justice on HB 2471

January 25, 2022

Chairman Owens, Vice Chair Smith, Ranking Member Highberger, and Members of the Committee:

Our testimony on HB2471 is neutral. We are not opposed to the bill, but we are concerned about the practical application.

Deputy sheriffs are charged with keeping the courtroom secure. We are concerned this bill may hamper our ability to do so.

There may be factors that the court and/or district attorney are not aware of concerning a juvenile in custody. Neither of them observes the juvenile while in custody and if an incident occurred before a report makes its way to the DA, the court may not be aware of a valid reason to restrain a juvenile in court.

Additionally, if there is an incident while transporting the juvenile to court that would authorize the use of restraints in court, there is no provision for the transporting officers to notify the court of such actions. Only "an officer of the court," judge, the county or district attorney, or the juvenile's attorney may make such a motion as we read the bill. Deputy sheriffs providing court security are not considered officers of the court.

The bill is silent on whether we can respond to an incident in the courtroom. While it is logical to assume that we would be permitted to act as part of our duty to provide court security, nothing in the bill explicitly states that.

Our request is that you consider this factor as you work the bill.

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