

# Testimony in Senate Judiciary – Feb 8, 2023

Vermont Children and Family Council for Prevention Programs

Presenter: Amy Davenport, Vice Chair

## Who We Are

- Vermont's Advisory Group for juvenile justice and delinquency prevention as required by the federal Juvenile Justice And Delinquency Prevention Act and the Juvenile Justice Reform Act
- 21 members appointed by the Governor and confirmed by yourselves
- Attached to DCF for planning and administrative functions
- Chair: Karen Vastine who worked on the RTA legislation while she was employed at DCF.

## What we do

- Provide grants to community partners related to juvenile justice and the prevention of juvenile delinquency
- Support implementation of Raise the Age legislation
  - Grant to CRG to measure recidivism rate of 18 and 19 year olds prior to RTA to get a benchmark to measure success
  - Funding to develop and implement a Domestic Violence Accountability program
- Identify and reduce racial and ethnic disparities among youth who have contact with the JJ system
- Support DCF's compliance monitoring with respect to the core requirements of the JJRA

# Council Response to Proposal to Delay Full Implementation of RTA

- DCF has proposed delaying implementation until a proposed high-end system of care is operational – not clear how long that will take
- Administration has proposed a 2 year delay until July 2025
- We are cognizant of DCF's staffing issues and the lack of high-end placement options for those who need treatment and stabilization
- Two years is too long – almost 65% of the charges involving 19-year-olds that were filed in the past year were for misdemeanor offenses

Court filing data on 19-year-olds in the adult criminal system does not support a lengthy delay

## 19-year-old filings in the Criminal Division Based on FFY 21 and 22 Court Data

	Misdemeanors	Felonies	Total Cases Filed
FFY 22 Federal Fiscal Year 10/1/21 – 9/30/22	86	48	134
FFY 21 Federal Fiscal Year 10/1/20 – 9/30/21	98	31	129

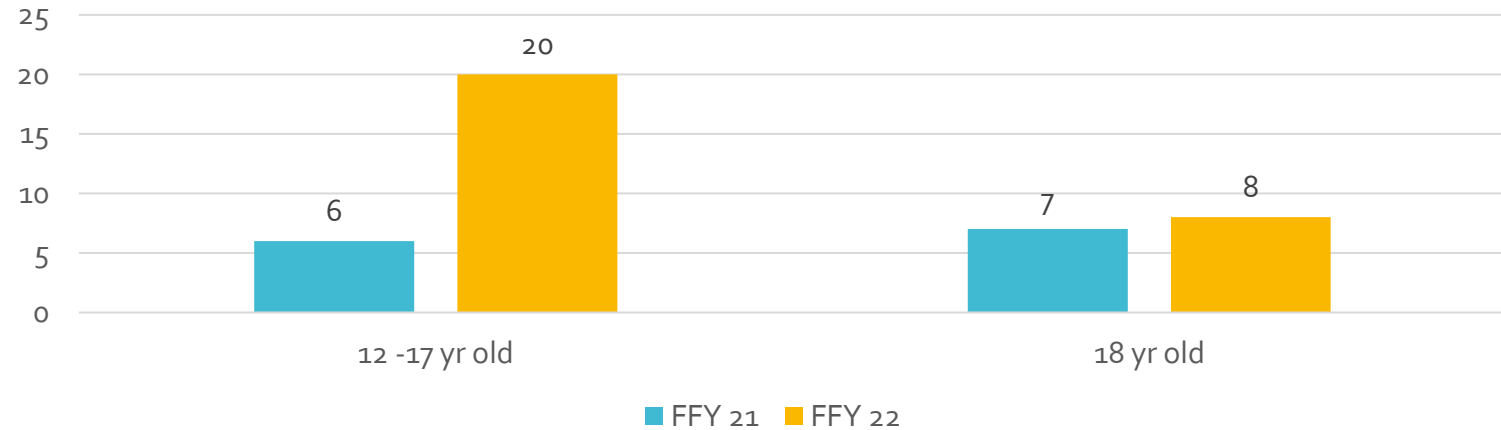
- Approximately 50% of the felony offenses would be filed in adult Criminal Division because they are Big 12 offenses.

Data on criminal charges involving a youth with a weapon does not support a delay

- Most serious violent offenses with a weapon are included in the Big 12
  - e.g. aggravated assault with a weapon or a deadly weapon; assault & robbery with a weapon
  - Only exception is aggravated domestic assault with a weapon
- Beginning at age 14, Big 12 offenses are filed in the Criminal Division unless the SA chooses to file the case as a YO case in the Family Division

## What the Data tells us

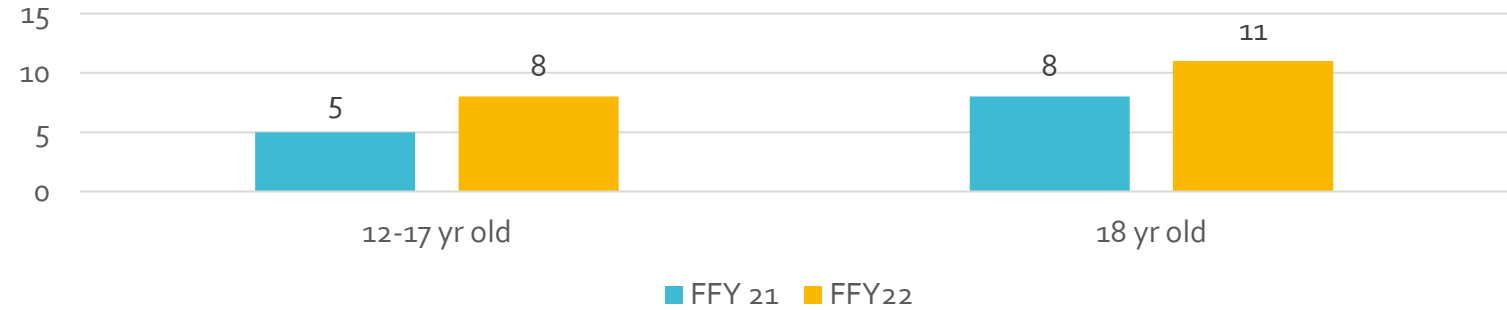
### Offenses with a Weapon Filed in the Family Division



- Most of the charges filed in the Family Division were initiated by the SA as youthful offender cases
- The increase in charges involving a weapon in the under 18 cohort is still only 4% of the total number of charges filed in the Family Division involving that age group.

## What the data tells us

### Offenses Involving a Weapon Filed in The Criminal Division



- There is a slight uptick in violent offenses committed with a weapon in both age cohorts
- But these charges all start in the Criminal division already and can only be moved to Family if the defendants are appropriate to be treated as youthful offenders.



Thank you  
Happy to answer any  
questions

Children and Family Council for Prevention Programs