Protocol for 16 and 17 year olds
In Caledonia County

I have been charging them in juvenile court since February of 2011, for most crimes [excluding sex crimes, serious domestic assaults, five major motor vehicle offenses, and the offenses in 33 V.S.A. §5204(a)].

Adopted policy because I felt it made good sense

Positives:

Juveniles' needs are better met through juvenile system than through criminal justice system, especially rehabilitation/treatment

No permanent record

No publicity-closed proceedings

No stigma

Involves family, services

YASI pre-screen *greatly* assists in assessing level of risk and what other factors may be contributing to the juvenile's situation and behaviors
> Juveniles are cited with enough time for them to meet with the YASI screener, if they so choose
> Usually adopt recommendation of YASI screener (~95% of time)
> More creative options for disposition:
> CJC
> Diversion
> Family Group Conferencing
> Juvenile probation, including custody
> juvenile attorneys can appropriately get juvenile to own behaviors in most
cases

Negatives:

Victim involvement and input is more limited than in criminal process

May need more time for supervision (YO status better?)

A few cases were charged in juvenile court that, in hindsight, I believe I should have charged in adult court, due to aging out of juvenile, continual delinquent behavior, and lack of strong enough sanctions for juvenile

No publicity-closed proceedings

Poor family support for juvenile will likely lead to poor success in process, and recidivism

Public safety is not always best protected through juvenile court process

Overall, I think the decision was a sound one. Most of the kids seem to "get it." Judge Manley always gives them the lecture that the State COULD have charged them in criminal court, but elected to file in juvenile court, and emphasizes the seriousness of the offense, sometimes indicates the possible penalties, giving them a clear message on how they can benefit from the process

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