

**Testimony Regarding Bill H. 618, 2014, An act relating to exclusive jurisdiction over delinquency proceedings by the Family Division of the Superior Court.**

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I offer support for passage of H. 618 because it is consistent with Vermont statutes and policy regarding the treatment of juvenile offenders. Specifically, Vermont promotes policies that emphasize family centered social services, and restorative approaches to offenders.

Current practice places determination of whether youthful offenders will be subject to adult criminal proceedings or Family Court juvenile proceedings in the hands of the State's Attorneys. This practice runs the risks that ongoing efforts to treat youthful offenders will be interrupted, and that participation of family members in determination of the future of the offender will be minimal. These risks should be reduced so that ongoing education and treatment programs can continue and perhaps be strengthened. Continued participation of family and community in supporting offenders is consistent with current evaluations of juvenile justice outcomes.

16 and 17 year olds are not adults neurologically or cognitively. They are in a period when development can be rapid. It is important that adolescent offenders be in programs that will focus on supporting appropriate development and marshaling every resource available to promote that. Family involvement and community participation raise the possibility of success. Adolescents are particularly open to change, and it is essential they have opportunities to participate in treatment and educational programs that will help them recover from experiences in their pasts, develop skills that will improve their futures, and avoid getting trapped in the pipelines into prison.

As I understand the differences between Criminal and Family Court, keeping 16 and 17 year olds in Family Division, with the potential to retain supervision until 21, makes it much more likely offenders will have access to appropriate services and less likely they will be exposed to premature introduction into adulthood as criminals.

Vermont currently is in the middle of a long-term process of adopting and improving family centered, community and restorative justice approaches to child and family services. These approaches hold significant promise to improve the outcomes for Vermont families and children, including juvenile offenders. The proposed change in the law will encourage continued attention to these efforts.

Resources:

Scott, E.S. & Steinberg, L D. [2008] Rethinking juvenile justice. Cambridge, MA: Harvard University Press.

Steinberg, L. & Scott, E. S. [2003]. Less guilty by reason of adolescence: Developmental immaturity, diminished responsibility, and the juvenile death penalty. American Psychologist, Vol. 53, No. 12, 1009-1018.

Steinberg, L. [2012]. Should the science of adolescent brain development inform public policy? Issues in Science and Technology on line. Retrieved from: <http://www.issues.org/28.3/steinberg.html>

Steinberg, L. [no date] Juveniles in the justice system: New evidence from research on adolescent development. Wisconsin Family Impact Seminars. Retrieved from: < [http://www.familyimpactseminars.org/s\\_wifis25c01.pdf](http://www.familyimpactseminars.org/s_wifis25c01.pdf) >

The Missouri Model for Juvenile Justice. <Missouriapproach.org>

Winters, W. [2013, January 28]. Back to the future: New attempts to implement a proven model in juvenile justice. <Corrections.com>