

Memo

To: Representative Grad
From: Members of the Juvenile Justice Stakeholder Group
Date: 4.11.19
Re: S.133 Study Proposal

The Juvenile Justice Stakeholder Group is comprised of representatives from the Judiciary, the Office of the Defender General, the Department for State's Attorneys and Sheriffs, the Department of Corrections, the VT Network and the Department for Children and Families. Since the passage of Act 153 in 2016 that effectively required that anyone under the age of 18 be charged in Family Court (except for the Big 12); the stakeholder group has been meeting regularly to discuss policy and implementation of juvenile justice reform. The technical and procedural changes included in S.133 are the result of the stakeholder groups' discussions and recommendations.

Our group is poised to continue to work together to implement Act 201 (AKA raising the age of juvenile jurisdiction to 19) and will be issuing a report to the Joint Justice Oversight Committee on November 1, 2019. As part of that work, an examination of Youthful Offender status, its role in juvenile justice going forward and how it will be impacted by/impact charging and adjudication practices for 18 and 19 year olds is critical.

If the committee should choose to include a study of Youthful Offender status in S.133, the stakeholder group would be in favor of using that to examine the following topics related to Youthful Offender status:

- "The Big 12" and whether it includes the correct offenses;
- What role should admitting to a charge play with assessing for amenability to treatment;
- The first years' worth of data, including but not limited to: the numbers of referrals to Court Diversion, contested hearings, case disposition by age group and geographic distribution; and
- The impact of partially opening a youthful consideration hearing so that public safety would be included in a public hearing.

The stakeholder group will utilize information gathered from national best practices and research to inform their analysis and recommendations for the report. The report associated with S.133 could be connected to the Act 201 report or be separate.