

Re-Envisioning Juvenile Justice in Vermont

House Judiciary Committee

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Office of the Child, Youth, and Family Advocate (OCYFA)



What is the OCYFA?

- We are an independent state office that engages in individual and systemic advocacy on behalf of children, youth, and families served by DCF, with an emphasis on child welfare and juvenile justice.
- We are charged with examining systems as a whole and articulating youth-centered systemic reforms that also benefit government.
- “The Office shall promote reforms necessary to better serve Vermont’s children, youths, and families in a manner that addresses racial and social equity.” 33 VSA § 3202

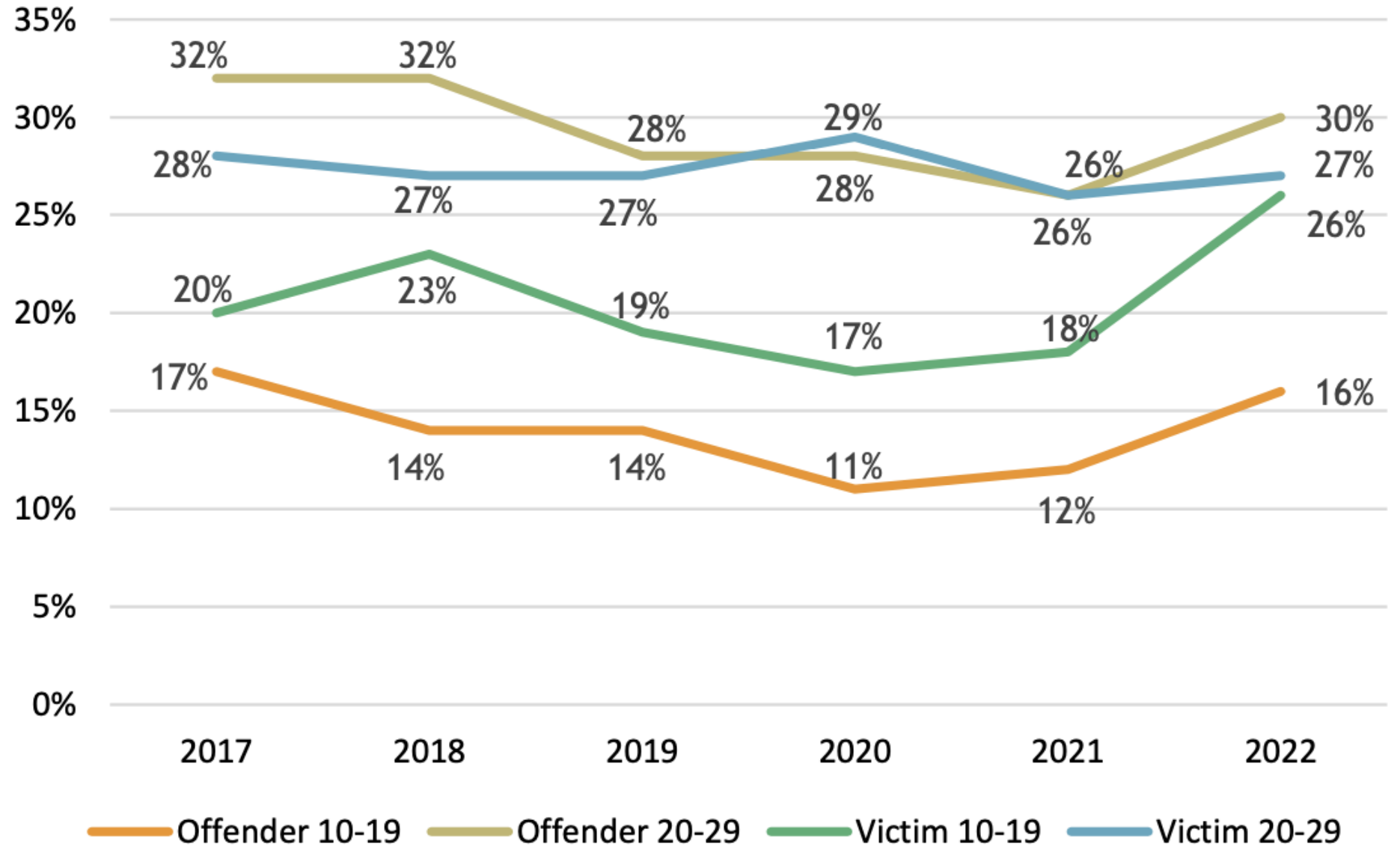
What Are the Problems We are Trying to Solve?

- The public wants to feel safe.
- Businesses are frustrated with shoplifting and similar crimes.
- Defendants are arrested again and again and then go free.
- Major media stories show young people involved in the drug trade and related violent incidents, especially from out of state (MA, NY).
- Prosecutors and DCF workers are frustrated that 18- and 19-year-olds who have reached the age of majority don't have to accept services.
- DCF has limited resources and those should not be spent on adults.

What is the Problem We are Trying to Solve?

Data Courtesy of Vermont Intelligence Center, 2024

Figure 2: Violent Crime Offenders and Victims



What We Already Know About Juvenile Justice in Vermont

- Juvenile justice reforms that use the same approaches as for adults fail if they do not take into account brain science.
- Raising consequences as a deterrent to crime has a different effect on young adults due to their brain development.
- It is untrue that 18 and 19 year olds cannot be in the same programs as younger youth. Other states such as Washington provide examples.
- Increasing penalties for young people trafficking drugs will deter not deter youth or the adults for whom they work.

What We Already Know About Juvenile Justice in Vermont

- Young people need opportunities to be successful across multiple domains. Accountability is also about useful services.
- When young people are institutionalized, whether in group homes or locked facilities, they learn institutionalization. They often find other young people in institutions with whom they misbehave.
- In criminal court, names become public even pre-adjudication.
- Repealing Raise the Age for 19-year-olds does not solve DCF's resource problems.

What We Already Know About Juvenile Justice in Vermont

- It is a misnomer that prosecutors lack tools to hold young people accountable.
- Youth have complex needs and insufficient services to address them.
- Multiple opportunities for diversion reduce systemic burden and support youth.
- Juvenile justice issues are directly connected to child welfare issues.
- Charging youth in criminal court does not reduce court backlogs.

Recommendations

- Remove repeal of Raise the Age from omnibus bill.
- Talk to youth in the juvenile justice system, including youth in locked facilities and other institutions, as well as youth in the community.
- Broaden the scope of experts heard on this issue to include pediatricians, child psychologists, credible messengers, community providers who work with transition aged youth, and families.

Recommendations

Address DCF's resource issues head on:

- Develop a user-centered new DCF data system.
- Improve kin-finding programs.
- Use federal money to develop supportive programs.
- Improve legal representation.
- Redefine caseloads per child rather than per family.
- Improve and broaden workers' access to adolescent-specific training.
- Amend mandatory reporting laws and training so that DCF does not have to field 16,000 calls a year that they screen out.

Thank you!

- Questions?
- Please don't hesitate to reach out:
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 - Matthew.Bernstein@vermont.gov
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- Referral information for the public:
 - 802-828-2828 (leave a message)
 - OCYFA@vermont.gov (shared mailbox)
 - Text to 802-312-1010

Sources

- Columbia Justice Lab, [Update on the Implementation of Vermont's "Raise the Age" Law, 2024](#)
- DCF, [Report on Act 201 Implementation Plan Report & Recommendations](#), 2019.
- DCF, [Woodside Juvenile Rehabilitation Center Report](#), 2019.
- Office of Juvenile Justice and Delinquency Prevention [Literature Review: Intersection of Juvenile Justice and Child Welfare Systems | Office of Juvenile Justice and Delinquency Prevention](#)
- Justice Policy Institute, [Sticker Shock: Calculating the Full Price Tag for Youth Incarceration](#), 2014
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- Romero Davis, [What the juvenile justice system can learn from child welfare reforms](#), 2024.

Sources

- Sentencing Project, [Youth Incarceration by the Numbers](#)
- Sentencing Project, [Why Youth Incarceration Fails: An Updated Review of the Evidence](#), 2023.
- Massachusetts [Office of Child Advocate Report](#).
- [Seven Days Woodside article](#).
- Read about the Sununu Youth Services Center in NH.
- Vermont Intelligence Center Reports 2023, 2024.
- [Crossroads in juvenile justice](#): The impact of initial processing decision on youth 5 years after first arrest, Cuffman et al.