



Vermont Youth Justice Overview

House Judiciary Committee

Aryka Radke, DCF – Deputy Commissioner, Family Services
Division

Lindy Boudreau, DCF – Adolescent Services Director, Family
Services Division

Gary Marvel, DOC – Deputy Director of Field Services

Family Services Division

Mission

We engage families, foster and kin caregivers, partner agencies, and the community to increase safety, well-being, permanence and law abidance for Vermont's most vulnerable children and youth.

How We Achieve Our Mission:

- We achieve our mission by working with families to:
 - Keep children and youth safe,
 - Keep youth free from harmful behaviors,
- And if that is not possible:
 - Caring for children and youth in DCF or conditional custody and attending to their well-being, while working towards safe reunification.
- And if that is not possible:
 - Achieving other forms of permanency for children and youth in DCF or conditional custody by providing them with safe, supportive, lifelong connections.

Family Services Division Structure

District Offices

- 12 throughout state
- 180 Family Services Workers plus other staff

State-wide Direct Service Units

- Centralized Intake: Child Protection Hotline and after-hours emergency response
- Residential Licensing and Special Investigations Unit

Central Office

- Provides support to district offices, oversees policy and practice, manages budgets, grants and contracts, and maintains communication with federal partners



Child Abuse and Neglect Intake

Community members may contact centralized intake at any time to report suspected child abuse or neglect.

18,507 reports in 2022

19,726 reports in 2023

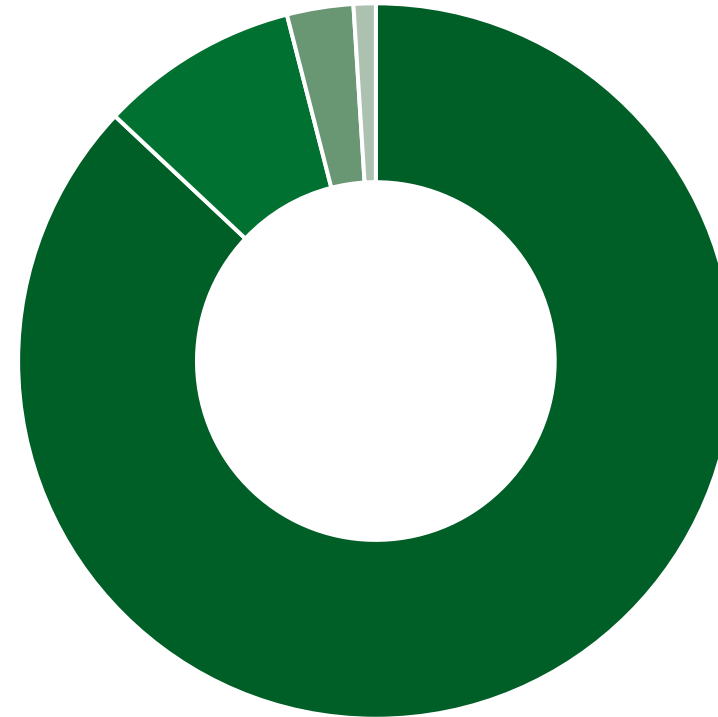
19,410 reports in 2024

Specialized social work staff conduct child abuse investigations and assessments, with primary focus on the immediate safety of children.

- Districts conduct most assessments.
- Residential and Special Investigations Unit focuses on regulated facilities and schools.

3,620 in 2024

Reasons for DCF Custody



■ Abuse / Neglect ■ Child Behavior ■ Delinquency ■ Voluntary

Abuse / Neglect: 87%

Child Behavior: 9%

Delinquency: 3%

Voluntary: 1%

Where Children in Custody Live



■ Foster Home ■ Kinship Care ■ Residential Care ■ Pre-Adoptive Home ■ At Home

Foster Home: 40%

Kinship Care: 34%

Residential Care: 12%

Pre-Adoptive Home: 12%

At Home: 6%



Youth Justice

Unlike child protection agencies in most other states, FSD also serves as the state's youth justice agency.

In this role, we:

- Work with youth whose own behaviors put them at risk;
- Supervise youth who are on probation for committing delinquent acts;
- Assess youth to determine their challenges and strengths;
- Place youth in temporary out-of-home care when necessary;
- Work with the youth and parents towards their safe return home; and
- Find permanent homes for youth who cannot safely return home, preferably with extended family members or known connections.

Youth Justice Options

Vermont has been engaged in juvenile jurisdiction reform and modification of and expansion to Youthful Offender status since 2015/2016. Through that time the options for youth who have engaged in delinquent behavior have expanded:

- Pre-charge Program
- Court Diversion
- Direct Referral in lieu of probation
- Juvenile Probation
- Juvenile Probation with DCF Custody

Adjudicated Youth and Juvenile Probation

- Court ordered conditions and supervision are overseen by Family Services Workers to assure the needs of the youth, the victim and the community are addressed.
- Typically, supervision ends at eighteen. However, for sixteen-to-seventeen-year-olds, they can have supervision to age 19.5. Eighteen-year-old youth can have supervision up to age 20.5.
- There is a presumption of diversion for youth with non-Big 11 offenses who score low or moderate risk on the Youth Assessment Screening Instrument (YASI). This presumption can be overcome by the State's Attorney if they state why diversion would not meet the ends of justice.

Youth Assessment Screening Instrument (YASI)

- Evidenced-Based risk assessment adopted by DCF in 2007. The tool is designed to target case planning and reducing recidivism.
- Explores 10 Domains
 - Legal History
 - Family and Environment
 - School
 - Community and Peer Relationships
 - Alcohol / Drugs
 - Mental Health
 - Aggression
 - Attitudes
 - Skills
 - Employment / Free Time
- Based on the Risk, Need, Responsivity Principle
- Big 11 and additional exceptions list

Services Provided to Adjudicated Youth

- **Community based treatment**
 - Substance use assessment/treatment
 - Mental health assessments/treatment
 - School supports
 - In-home wraparound services
 - Residential treatment if indicated
- **Balanced and Restorative Justice (BARJ) services**
 - Restorative processes
 - Case management
 - Restorative classes/skills development
 - Prevention and community outreach
 - YASI screenings
- **Family Services Supervision**
 - Monthly meetings with the youth
 - Family team meetings
 - Referrals and monitoring engagement in services
 - Report to Court on youth's status

Juvenile Jurisdiction (Delinquency) Chart

AGE at the time of alleged offense	OFFENSE	
	OFFENSES Other Than Big 11	Big 11 and Other Exceptions
10-11	Proceedings start in family court; NO transfer.	Proceedings start in family court; NO transfer
12-13		Proceedings start in family court; Transfer to criminal court is an option.
14-15		Proceedings start in criminal court; Transfer to family court as delinquency is an option or as Youthful Offender
16-18* *19-year-olds will be treated as delinquents on 4/1/25		Proceedings start in criminal court. Transfer to family court as a delinquency is an option or as Youthful Offenders

Youthful Offender Status

- Youthful offender cases proceed through the Family Division.
- Youth who successfully complete Youthful Offender probation start adulthood without a criminal conviction. As a result, they experience fewer collateral consequences.
- FSD and DOC jointly supervise Youthful Offenders.
 - Supervision can occur up to the age of 22
- Presumption of diversion for youth with non-Big 11 offenses who score low or moderate risk on the YASI. This presumption can be overcome by the State's Attorney if they state why diversion would not meet the ends of justice.

Youthful Offender Status

- Sex offenders treated as Youthful Offenders shall have no duty to register as a sex offender in Vermont unless Youthful Offender status is revoked
- Option of direct filing in Family Division for 14-21-year-olds which would allow for full confidentiality
- Youth are eligible for consideration of Youthful Offender status through the age of 21

Youthful Offender Process

- Filing in Criminal Division or Family Division
- Youth are required to participate in a risk and needs screening (YASI) within 15 days of notification
- Youth have a Youthful Offender Consideration Hearing
- Victims can attend all hearings
- Public safety portion of the YO Consideration hearing for alleged offenders ages 18 to 21 is open to the public
- If the youth is not successful, the case can be returned to Criminal Division for sentencing

Youthful Offender Status: Lead Department Roles

Department for Children and Families – Family Services Division (FSD)	Department of Corrections
FSD writes reports related to YO cases and is serves as conduit to Family court.	DOC contributes information to court reports when appropriate.
FSD has monthly contact with YO cases regardless if lead agency or not.	DOC is the primary agency for majority of 18+ YOs. Supervises under 18 YOs when necessary, such as when electronic monitoring is needed. Contact level determined by risk/needs.
FSD completes the YASI for YO cases regardless if lead agency or not.	DOC completes specialized assessments when appropriate (sex offenses, domestic violence, females)

Youthful Offender Jurisdiction Chart

Age at time of alleged offense	Cases with Criminal Court Jurisdiction	Eligibility for Youthful Offender Consideration
10-11	None	Not Applicable
12-13	Big 11	<ul style="list-style-type: none"> • Big 11 cases must be filed in Family Court • Court may transfer to Criminal Court • Can be transferred back down to Family Court as YO
14-15	Big 11	<ul style="list-style-type: none"> • Big 11 must be filed in Criminal Court but may be transferred to Family as YO. • Alternatively, States Attorneys may directly file Big 11 cases for 14- and 15-year-olds in Family Court as a YO.
16-18*	Felonies Additional Exceptions Big 11 *This will include 19-year-olds on 4/1/25	<ul style="list-style-type: none"> • Felonies must be filed in Family Court, but can be transferred to Criminal Court, and then transferred back down as YO. • Additional exceptions must be filed in Criminal Court, but may be transferred to Family Court as YO • Big 11 shall be filed in Criminal Court but may be transferred to Family Court as YO. • Alternatively, States Attorneys may directly file Big 11 cases for 16 and 17-year-olds in Family Court as a YO.
19-21	Any Offense	<ul style="list-style-type: none"> • All cases start in Criminal Court unless the States Attorney decides to file YO petition directly in Family Court. Applies to any alleged offense. • Any case that starts in Criminal Court may be transferred to Family Court for YO status consideration upon motion.

Thank You!

