



## Fact Sheet: Vermont

### Key Facts:

- Vermont is the only state in the nation in which the rate of arrests and custody arrests for youth of color do not exceed those of white youth.<sup>1</sup>
- The Vermont Department of Corrections (DOC) founded the Reparative Probation Boards Program in 1994. This program, led by community members, works with low-risk individuals.<sup>2</sup>
- The Burlington Community Justice Center (CJC) works with the community to repair damage created by crime using restorative justice programs. These programs allow for direct contact and communication between the community, the offender, and the victim.<sup>3</sup>
- One recent study analyzed data provided from the Vermont DOC, which included all convictions from misdemeanor charges sentenced in the Vermont District Courts from 1998-2005. The findings showed that:<sup>4</sup>
  - There is 23% decrease in new convictions during probation for those placed on reparative probation instead of standard probation.<sup>5</sup>
  - The chance of a new conviction after probation is reduced by 12% for those on reparative versus standard probation.<sup>6</sup>

### What Vermont Law Says:

- The minimum age a youth can be adjudicated as a juvenile delinquent is 10.<sup>7</sup>
- The extended age of juvenile delinquency jurisdiction is 20.
- Youth can be held in secure detention pre-adjudication, predisposition, and while awaiting placement.<sup>8</sup>
- While it is not mandated, youths are permitted to be held in pre-trial detention in adult jails at any age. No protections are required to keep kids away from adult inmate.;<sup>9</sup>
- The minimum age for youth to be prosecuted as adults is 10.<sup>10</sup>
- Youth 14 years and older are tried as adults for murder, person, and property offenses.<sup>11</sup>
- For any criminal offense, the prosecutor has the discretion to try a youth of at least 16 years of age in adult court.<sup>12</sup>
- A young person in the adult court system may be transferred back to the juvenile system if court finds the youth to be amenable to treatment or rehabilitation and that the public safety will be secured.<sup>13</sup> and
- The minimum age a youth can be sentenced to life without parole is 10, although currently there are no youth in Vermont serving this sentence.<sup>14</sup>

*The Department for Children and Families, in cooperation with the Department of Corrections, shall have the purpose and responsibility to administer a comprehensive program, developed by the Commission on Juvenile Justice established pursuant to section 3085c of Title 3, for youthful offenders and children who commit delinquent acts, including utilization of probation services, a range of community-based treatment, training and rehabilitation programs and secure detention and treatment programs when necessary in the interests of public safety, designed with the objective of preparing those children to live in their communities as productive and mature adults.*

-- Purpose Clause for Juvenile Corrections

AHS Planning Division  
Phone: 802-241-2953  
Email: [theresa.lay-sleeper@ahs.state.vt.us](mailto:theresa.lay-sleeper@ahs.state.vt.us)  
<http://www.ahs.state.vt.us/>

State Advisory Group Chair  
Mr. Richard Smith  
Phone: 802-229-4287  
Email: [rasvt@hotmail.com](mailto:rasvt@hotmail.com)

### State Resources:

#### Department for Children and Families

Steve Dale, Commissioner  
103 S. Main St.  
Waterbury, VT 05671-2401  
Tel: (802)241-2100; Fax: (802)241-2980  
Email: [Steve.dale@ahs.state.vt.us](mailto:Steve.dale@ahs.state.vt.us)

#### *Second-in-Command:*

Robert Becker, Director of Youth Justice  
Tel: (802) 241-2131  
Email: [bbecker@srs.state.vt.us](mailto:bbecker@srs.state.vt.us)

#### New England Juvenile Defender Center

Mary Deaett  
New England Juvenile Defender Center  
6 Baldwin Street, 4th Floor  
Montpelier, VT 05633-3301  
(802) 828-0021 (phone) / (802) 828-3163 (fax)  
Email: [Mary.Deaett@state.vt.us](mailto:Mary.Deaett@state.vt.us)

#### Office of the Defender General

Bob Sheil  
6 Baldwin Street, 4th Floor  
Montpelier, VT 05633-3301  
(802) 828-3168 (phone) / (802) 828-3163 (fax)  
Email: [Bob.Sheil@state.vt.us](mailto:Bob.Sheil@state.vt.us)

#### Vermont Department of Corrections

103 South Main Street  
Waterbury, VT 05671-1101  
Phone: (802) 241-2276  
Fax: (802) 241-2565

#### State Juvenile Justice Specialist

Ms. Theresa Lay-Sleeper

### *Prepared by the Campaign for Youth Justice*

<sup>1</sup> Snyder, H., & Sickmund, M. (2006, March). *Juvenile offenders and victims: 2006 National report*. Office of Juvenile Justice and Delinquency Prevention. Available at <http://ojjdp.ncjrs.org/ojstatbb/nr2006/downloads/NR2006.pdf>

<sup>2</sup> Humphrey, J., Burford, G., & Huey, M. (n.d.). *Reparative versus standard probation: Community justice outcomes*. Available at <http://www.doc.state.vt.us/about/reports/reparative-v-probation>

<sup>3</sup> Community and Economic Development Office. (2007, May). Restorative justice panels. *Community Justice Center*. Available at <http://www.cedoburlington.org/neighborhoods/cjc/home.htm>

<sup>4</sup> See Humphrey, Burford, & Huey, 2.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Vt. Stat. Ann. tit 33 § 5502(1)

<sup>8</sup> National Center for Juvenile Justice. (2006, April 17). *NCJJ State Profiles: Vermont*. Retrieved July 2007 from <http://www.ncjj.org/stateprofiles/profiles/VT06.asp?state=%2Fstateprofiles%2Fprofiles%2FVT06.asp&topic=>

<sup>9</sup> Goemann, M. (2007). *Children Being Tried as Adults: Pre-trial Detention Laws in the U.S.*. Washington, DC: Campaign for Youth Justice.

<sup>10</sup> Amnesty International USA. (2005). *The rest of their lives: Life without parole for child offenders in the United States*. Available from <http://www.amnestyusa.org/document.php?lang=e&id=ENGUSA2005101205002>

<sup>11</sup> National Center for Juvenile Justice. (2006, April 17). *Vermont Transfer Provisions*. Retrieved July 2007 from <http://www.ncjj.org/stateprofiles/asp/transfer.asp?topic=Transfer&state=%2Fstateprofiles%2Fprofiles%2FVT06.asp>

<sup>12</sup> Ibid.

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<sup>13</sup> Ibid.

<sup>14</sup> See Amnesty International USA, 11.