VERMONT

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Agency of Human Services

To: The Senate Judiciary Committee

From: Aryka Radke, Deputy Commissioner, Department for Children and Families, Family Services Division (DCF-FSD)

Date: March 10, 2026

Subject: S. 186

Dear Committee Members,

I appreciate the opportunity to share my perspective on S. 186. This legislation represents a thoughtful approach to refining the judicial process for young Vermonters whom we mutually serve. By considering this bill, we are exploring ways to address the complexities faced by youth in the legal system and enhance the support provided to them.

This legislation appears to introduce a new option for youth who have not yet reached their 19th birthday, who have committed a “Big 11” (plus 3 exception) offenses. They can choose to enter a plea agreement to a lesser charge in the Criminal Division, allowing their case to remain in that docket, even if the lesser charge typically would fall outside of its jurisdiction.

While this option enables cases to be resolved as adult offenses, rather than through a youth being placed on youthful offender (YO) status, this would not reduce the collateral consequences for the youth, as a criminal charge would remain on their record. It could serve as an efficient way to resolve cases and address the ping pong effect seen in YO cases.

The expansion to this approach would likely decrease the number of youths that are supervised jointly through FSD and the Department of Corrections (DOC). Consequently, DOC may experience an increase in their workload, as they would assume the sole supervision responsibility.

While the exact impact cannot be determined until implementation, should it occur, we anticipate the increase to be minimal based on the fact that the youth would not have the benefit of confidentiality that YO status would afford them. FSD is neutral regarding the passage of S. 186. We continue to support gradual and thoughtful improvements to the youthful offender system.

Our commitment remains focused on supporting youth as they interface with the justice system, ensuring they receive the guidance needed to repair harm, remain law-abiding, and engage with their communities in ways that are healthy, productive, and positive.

Thank you,

Aryka Radke