

## Sentencing Options for Juveniles

The Judge can enter a sentence or commitment imposing any of the following sentences or combination of sentences:

| Sentence   | Details   |
|--|---|
| Commitment to Department of Human Services   | Not to exceed two years if the offense would be considered a felony or misdemeanor if committed by an adult; if the juvenile is <12 years old & not an aggravated offense, a judge can only commit to CDHS if the offense would be considered a class 1, class 2, or class 3 felony if committed by an adult. |
| County Jail or Community Corrections   | If 18 years old and older but not older than 21 for an offense that occurred prior to their 18 <sup>th</sup> birthday; jail not to exceed 6 months; community corrections not to exceed 1 year.   |
| Detention  | For a period not to exceed 45 days, if the offense would be considered a class 3, 4, 5, or 6 felony, or a misdemeanor weapons charge, if committed by an adult.   |
| Placement with relative or other suitable person, or into the custody of the department of social services | May include probation, or under protective supervision.   |
| Commitment to the community accountability program   | This is entered as a condition of probation for higher risk juveniles, and is dependent on the program's capacity and the juvenile's eligibility for the program.   |
| Probation  | Conditions of probation could include a supervised work program or an intensive supervision program.  |
| Placement in a hospital or other suitable facility for receipt of special care                             | Until the court or professional person in charge of the treatment determines that, the treatment or placement is no longer appropriate.   |
| Fine   | Not more than \$300. This can be the sole punishment, or in addition to any other sentence or commitment for any offense.   |
| Restitution  | Restitution will be paid "in a reasonable manner," as determined by the court.  |
| Comply with an anger management or other appropriate treatment program                                     | Typically in addition to any other sentence or commitment for any offense.  |
| Evaluation for appropriateness to be involved in a restorative justice program                             | Some offenses are excepted.   |

\*Detention: Judges cannot sentence juveniles to detention for an offense that would be a class 1 or class 2 if committed by an adult. If a juvenile is adjudicated of one of the following offenses, the court shall sentence the juvenile to detention for 5 days or more: offense is a violent felony; used, possessed, or threatened to use a firearm during the commission of a felony against a person; offense is possessing a dangerous/illegal weapon, possessing a defaced firearm, unlawfully carrying a concealed weapon, unlawfully carrying a concealed weapon on school, college, or university grounds, prohibited use of weapons, illegal discharge of a weapon, and/or illegal possession of a handgun by juvenile.

\*Repeat juvenile offenders could be sentenced to CDHS for a term of not less than one year, unless the court finds an alternative sentence or commitment of less than one year would be more appropriate. If the juvenile is 18 years or older on the date of the sentencing hearing and the acts were committed before the juvenile's 18<sup>th</sup>

birthday, the court could sentence the juvenile to county jail, or a community correctional facility or program for a period not to exceed two years.

\*Violent juvenile offenders - must be 13 years or older and be adjudicated for a crime of violence could be sentenced to CDHS for a minimal term.

\*Aggravated juvenile offenders - must be at least 12 years old and adjudicated of a class 1 or class 2 felony could be sentenced to CDOC for five years.