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CRC ACTION

Commissioner .
Comm: WD .
01/25/2018 .
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. .

The Committee on Declaration of Rights (Donalds) recommended the following:

CRC Amendment (with title amendment)

Delete lines 22 - 37

and insert:

(b) When authorized by law, a child as therein defined may be charged with a violation of law as an act of delinquency instead of crime and tried without a jury or other requirements applicable to criminal cases. Any child so charged shall, upon demand made as provided by law before a trial in a juvenile



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10 proceeding, be tried in an appropriate court as an adult. A
11 child found delinquent shall be disciplined as provided by law.

12 (c) It is the policy of this state that, because children
13 are more neurologically, psychologically, and emotionally
14 underdeveloped than adults, in order to prosecute any child in
15 adult criminal court, the state attorney must consider the level
16 of development of the child and conclude based on that level of
17 development that public safety would best be served by
18 prosecuting the child as an adult. The factors to be considered
19 shall be as provided by law.

20
21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 Delete lines 3 - 5

24 and insert:

25 require a state attorney to consider a child's level
26 of development before prosecuting the child as an
27 adult.