

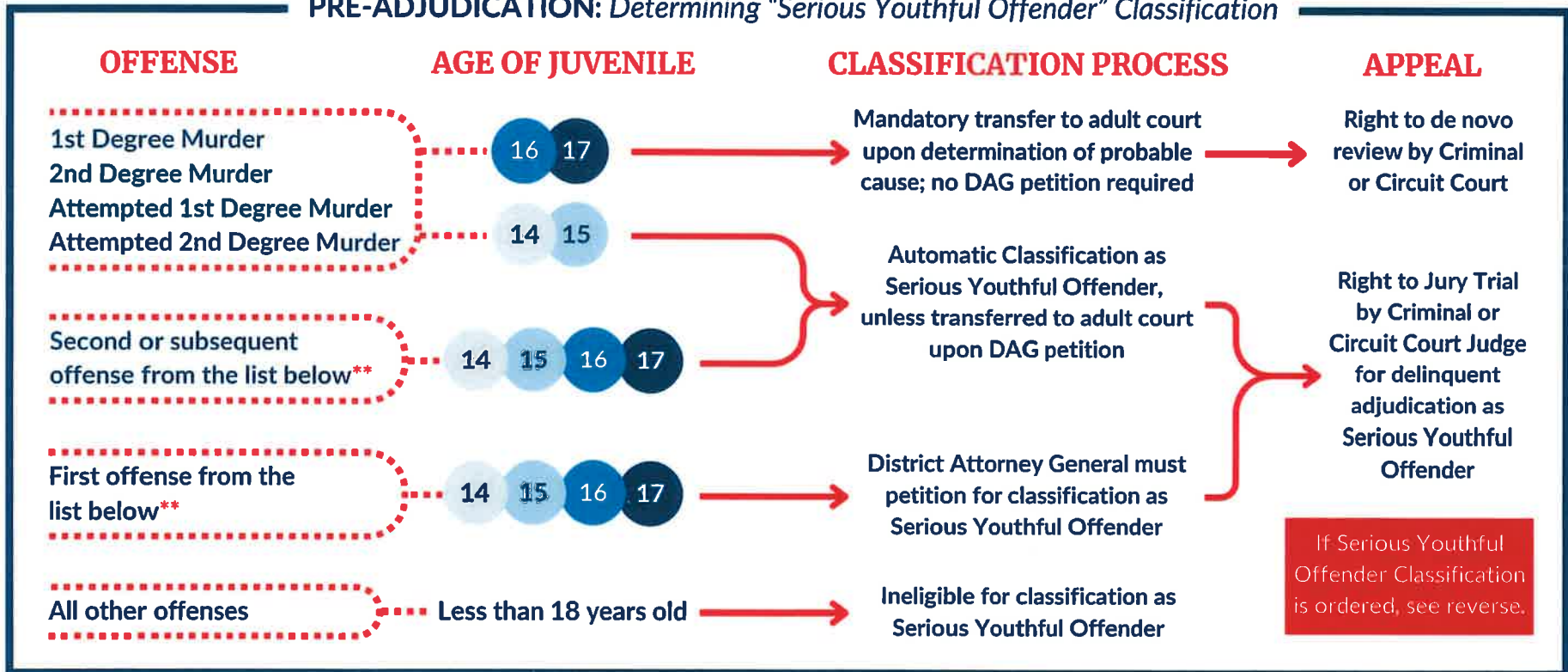
JUVENILE BLENDED SENTENCING - PC 1007

Effective January 1, 2025



Extends the definition of "Child" under the juvenile code to include a person under age 24 for the limited purpose of remaining under the jurisdiction of the juvenile court while serving a sentence as a "Serious Youthful Offender."

PRE-ADJUDICATION: Determining "Serious Youthful Offender" Classification



**Offenses eligible for classification of "Serious Youthful Offender"

- Rape
- Aggravated rape
- Rape of a child
- Aggravated rape of a child
- Aggravated child abuse/neglect/endangerment
- Aggravated robbery
- Especially aggravated robbery
- Especially aggravated burglary
- Aggravated kidnapping
- Especially aggravated kidnapping
- Carjacking
- Terrorism
- Any other Class A or B felony offense involving the use of a deadly weapon
- Any attempts of the above listed Class A felonies

POST-ADJUDICATION: Disposition Details & Appeal Considerations

Any disposition for a Serious Youthful Offender must extend at least until the offender's 19th birthday, and the Court shall impose a mandatory minimum additional disposition beyond the 19th birthday as follows: **4 years for any Class A felony** delinquent adjudication and **3 years for any Class B felony** delinquent adjudication, and may include probation for those respective periods of time. This additional disposition shall be stayed.

Within four (4) months of the 19th birthday: The Court must conduct a recorded hearing to determine whether to invoke the stayed mandatory minimum additional disposition.

➔ If the court finds any 3 of the following circumstances to be true, the additional disposition **SHALL be imposed**.

1. The juvenile committed another delinquent act;
2. Engaged in other conduct that creates a substantial safety risk;
3. Failed to meet the conditions of supervision;
4. Failed to: attend school regularly with passing grades, graduate from high school, obtain a GED, or regularly attend a TCAT with passing grades; or
5. Failed to obtain regular employment or enroll in an institution of higher education if graduated.

➔ If the Court determines that the additional disposition should not be invoked, then an **order terminating supervision** as of the serious youthful offender's 19th birthday shall be entered.

Appeal: The juvenile or the state may appeal the Juvenile Court's determination to the Circuit or Criminal Court within 15 days, and the trial court will conduct an expedited de novo review of the prior adjudication without an evidentiary hearing. While the appeal is pending, the Juvenile Court's jurisdiction over the case is stayed.

After the 19th birthday:

- Any additional probation disposition shall be **served in or supervised by TDOC**, not DCS.
- The Juvenile Court has the same authority and jurisdiction as an adult trial court to revoke the additional disposition probation for a violation of any conditions or the commission of a new offense.

24th Birthday: Any additional disposition ordered must end on or before the Serious Youthful Offender's 24th birthday.