



UNDERSTANDING THE JUVENILE JUSTICE SYSTEM

Who can be prosecuted in juvenile court?

Anyone who commits a crime when he or she is between the ages of 10 and 17. Younger children are referred to the child welfare system.

Are juvenile charges and court proceedings public?

No, with some significant exceptions. Records and court proceedings are public if the juvenile is charged with a felony and was 16-years or older at the time of the crime.

What are the rights of a victim of a juvenile crime?

The Minnesota Crime Victims Act applies to victims of both juvenile and adult crime. Victims have a right to receive notice of charges, court proceedings, plea negotiations and dispositions. The victim has a right to attend hearings and give a victim impact statement. The victim has a right to receive restitution as part of a juvenile court disposition.

Can a juvenile be “certified” or tried as an adult?

The law allows for certification of juveniles 14-years of age or older in specific instances involving felony charges. Generally, this applies to violent or chronic offenders. A 16 or 17 year-old charged with first degree murder is automatically tried as an adult. Otherwise, the prosecutor can make the request and the judge makes the decision to certify based on whether public safety can be served by keeping the child in juvenile court.

If a juvenile is adjudicated delinquent (i.e., guilty of a crime), what happens?

Unlike adult court where there is a greater focus on what the punishment should be for a specific criminal act, the focus in juvenile court is on rehabilitating the child and returning him or her to law-abiding behavior. The judge can order consequences, but the consequences relate to rehabilitation of the child consistent with public safety. Depending on the circumstances of the case, a judge has the ability to order a very broad range of consequences and programming including but not limited to probation supervision, restitution, community service, counseling, home detention, chemical dependency treatment, loss of driver’s license, confinement to a county juvenile facility or the state juvenile correctional facility in Red Wing.

What is the curfew law in Hennepin County?

Children under 12 have to be home by 9 p.m. Sunday-Thursday and 10 p.m. on Friday and Saturday. For 12 to 14 years olds, they must be home at 10 p.m. except Friday and Saturday when it is 11 p.m. For 15 to 17 year olds, the curfew is 11 p.m. and midnight on Friday and Saturday. There are exceptions for employment, school, religious observances, sponsored recreational activities, emergencies, errands at the direction of a parent or guardian and engaging in activities protected by the First Amendment. The law applies if the child is any public place after these hours including walking, biking, and driving a vehicle.