

## The Unique Role of the Juvenile Court Prosecutor Hypothetical

Joey has a long history with both the juvenile justice system and the dependency system. His siblings remained in the dependency system even after Joey moved on to the delinquency system. Joey, now 16, was in several placements over the years and only recently were the children returned to the mother.

Joey's first contact with the juvenile justice system occurred when he was 14 and stole candy and soda from a corner store. The case was "diverted," he was ordered to do 10 public service hours, and he remained a dependent. About a year later, Joey was with a group of boys and was contacted by officers because the boys were out during school hours and matched the description of a group that had just robbed a woman. One of the boys was found with stolen items, but Joey was not identified and did not have any stolen items, so he was not charged. He was cited for truancy. At 15, he was caught trying to steal beer from a grocery store. In the struggle to get away from the Loss Prevention Officer Joey pushed the man down and he suffered a broken wrist. The prosecutor charged him with Robbery, but agreed to settle the case for Grand Theft Person and a Felony Battery so Joey wouldn't have a 707(b) offense on his record. Joey was sent home on formal probation with his mother.

Several months later, Joey was arrested for snatching an iPad from a man on the bus. The mother expressed concerns that Joey was cutting school all the time and using drugs. Drug tests showed high levels of THC. After several dirty tests, a 777(a) petition was filed. Joey admitted the allegations and the court ordered probation provide WRAP services to the minor and his family.

Joey did well with wrap services for a little while but then his mother relapsed and went into custody. Joey and his siblings had to live with their grandma. At that point, Joey's behavior started to deteriorate he started testing dirty for TCH again and then two tests came back with cocaine, as well as TCH. Probation and wrap services were really trying to work with Joey and help him see that his negative behavior was tied to his feelings about his mom's relapse and the disruption to his family.

Unfortunately, Joey was arrested for strong arm robbery, assault with force likely to cause great bodily injury, and resisting arrest. The police report stated that on a Friday Joey cut school with some of his buddies. They ambushed an elderly woman named Dorothy, walking home from the grocery store, stole her purse, jewelry, and phone. When Joey jerked the purse strap, Dorothy's foot slipped off the curb and she fell to the ground with enough force that she hit her head and suffered a concussion. Joey kicked at her hand to get her to let go of the purse. She suffered a broken ankle, bruised ribs, and had other

scrapes and bruises. When the police arrived the boys all fled. Joey tried to jump a fence as one of the officer's ordered him to stop, but he kept going. He was ultimately caught a few blocks away.

Dorothy lived in the neighborhood and recognized a couple of the boys. She has lived in the neighborhood for 40 years, was a school teacher at the local school until her retirement 5 years ago, and is recently widowed. She feels conflicted about agreeing to ID the boys because although she is fed up with the neighborhood crime, she is afraid. She knows if they are allowed to return home she may see them in the neighborhood. Ultimately she identifies them, including Joey.

Dorothy's medical bills are high and she had to hire temporary in-home help, which was an added expense. Because of her foot, she can't drive or walk and needs help with everyday activities.

The file lands on the DA's desk....