

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 5: JUVENILE JUSTICE

§ 5131. Violent Offenses.

(a) Any juvenile, age sixteen years or age seventeen years, who is alleged to have committed any of the crimes listed in subsection (b) of this section, or any person under age sixteen years who is alleged to have committed any of the crimes listed in subsection (b) of this section and, pursuant to 6 CMC § 5124, has been ordered by the court to be held for adult criminal proceedings shall be proceeded against as an adult. All other felonies or misdemeanors charged, which are based on the same act or transaction as the § 5131(b) offense, shall similarly be charged and proceeded against as an adult. Any juvenile proceeded against pursuant to this section shall be accorded all constitutional and statutory rights, including bail and trial by jury, and procedural safeguards as if that juvenile were an adult defendant.

(b) The commission of the following crimes shall result in adult criminal proceedings pursuant to subsection (a) of this section.

(1) Murder; or

(2) Sexual assault as defined in 6 CMC § 1301 or 6 CMC § 1302.

(c) Once a juvenile has been transferred for criminal prosecution as an adult pursuant to the waiver provisions of 6 CMC § 5124, or this section, the juvenile shall be held in the adult prison facility but separated from the adult prison population unless the court, after finding good cause, orders otherwise.

(d) Upon the conviction of a juvenile pursuant to this section, the judge may, if a finding is made that adult sentencing measures would be inappropriate, sentence the convicted juvenile in accordance with the juvenile disposition options set forth in 6 CMC § 5124(h).

Source: PL 16-47, § 9, modified.

Commission Comment: The Commission changed public law section references to the corresponding codified section numbers and removed figures that repeated written words pursuant to 1 CMC § 3806(c) and (e).