

Clyde-Savannah case awaits legal decision

Teens' assault charges could shift to Youth Part

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The three Wayne County teenagers accused of assaulting a teammate with the Clyde-Savannah High School football team will now await a decision on whether their case will be heard in Family Court or what is known as Youth Part – a decision that may sound like legalese but could have a significant impact on their future.

Three teenagers are charged with sexually assaulting a teammate. Those teens are 15, 16 and 17 years old.

The school canceled its football season in light of the allegations of the Oct. 31 assault.

A fourth teenager, who is 16, is charged with unlawful surveillance. His criminal case will be heard in Family Court.

Two of the teens appeared in court in Wayne County on Wednesday, and two others Thursday.

Youth Part is an extension of state criminal court, and the penalties, if the teens are found guilty, would likely be much more severe.

Under state statutes, prosecutors must show 'extraordinary circumstances' for the case to be heard in Youth Part. Those 'circumstances' are 'significant physical injury' or use of a firearm or deadly weapon. Sex offenses also are heard in the Youth Part court.

Christine Callanan, Wayne County's first assistant district attorney, said in a telephone interview that she thinks the legal requirements exist for the three teens to be tried in Youth Part. Those would be public proceedings.

'I do believe the facts and circumstances exist, especially in reviewing some of the case law and the legislative intent,' she said. She declined to comment on specifics.

Michael Schiano, a defense attorney representing one of the teens accused of the assault, said that he does not think the allegations reach the Youth Part threshold. Videos circulated on social media of the alleged assault, and Schiano said he has viewed one so far.

'It's going to be our position that it does not exist,' he said of the 'extraordinary circumstances.'

Under the process, Callanan makes her case to County Court Judge Richard Healy, who also serves as a family court judge.

The defense lawyers will get their chance to challenge the prosecution efforts to keep the case in Youth Part.

The four teens are scheduled to return to court Dec. 6. They have not returned to school.

The three teens facing the serious charges are specifically accused of first-degree felony aggravated sexual

abuse, first-degree hazing, and forcible touching.

Youth Part and family court are open to the public, but family court records are sealed.

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