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DA to try girl, 14, as adult in killing

Teen will be arraigned today in mother's death

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A 14-year-old Scripps Ranch girl suspected of killing her mother will be tried as an adult, the District Attorney's Office said yesterday.

Heather D'Aoust is expected to be arraigned in San Diego Superior Court today, said Paul Levikow, spokesman for District Attorney Bonnie Dumanis.

It was unclear yesterday what specific charges Heather D'Aoust would face, Levikow said, adding that prosecutors had not filed a complaint. He would not say what factors led to the decision to try her as an adult.

Heather D'Aoust is being held in Juvenile Hall, where she was taken Sunday.

Her mother, Rebecca D'Aoust, 56, died Monday from injuries caused when she was hit on the head with a blunt object in her Scripps Ranch home.

Police were called to the house on Canyon Lake Drive just before 9 a.m. Sunday and found Rebecca D'Aoust injured on the kitchen floor. Her husband and an older daughter were asleep during the attack. Another daughter was away at school.

Police and prosecutors have not said what they think might have led to the attack.

According to a former classmate, Heather D'Aoust wrote poems on her MySpace page indicating troubles at home and in her personal relationships.

State law gives the District Attorney's Office discretion to decide whether some cases involving minors should be filed in Juvenile Court or in adult court, where the punishments are more severe.

For example, minors convicted as adults of first-degree murder can be sentenced to prison for 25 years to life. A voluntary manslaughter conviction carries a maximum sentence of 11 years.

Defendants found guilty of murder in the juvenile system can be held in a youth correctional facility until age 25.

State law mandates that prosecutors file some cases directly in adult court. Those cases usually involve juveniles 14 or older who are accused of first-degree murder with at least one special circumstance allegation, such as lying in wait, prosecutors said.

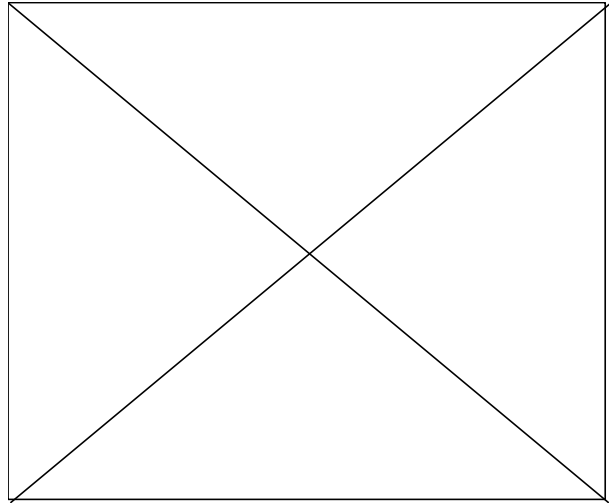
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The District Attorney's Office said prosecutors have filed murder charges against 48 juveniles in adult court since 2001. In that same period they filed murder charges against 91 defendants in Juvenile Court.

In many cases, prosecutors can request a Juvenile Court hearing in which a judge decides whether a case goes to Juvenile Court or to adult court. Defense lawyer **Michael L. Crowley**, who is not involved with the D'Aoust case, said the primary goal of the juvenile court system is rehabilitation rather than punishment. The idea is to find out what's the best way to redirect the misguided youth," **Crowley** said.

Defense attorney Paul Pfingst, who served as district attorney for eight years, said prosecutors examine several criteria, including circumstances of the case and a minor's history, when deciding whether to charge a juvenile as an adult.

"All murders are not equal and all juveniles are not equal," Pfingst said, adding that a minor's level of maturity and background are key factors.



"The real issue is should this youngster be released at age 25 or is that too dangerous?"

Funeral services for Rebecca D'Aoust, who worked as a counselor at Spreckels Elementary School in University City, are pending.

Staff writer Kristina Davis contributed to this report.