

Youth Court: An Effective Model for First-time Juvenile Offenders

Volunteer Center of Riverside County and the Riverside Police Department

Across the country, local and state governments are struggling with overloaded judicial systems.

Local law enforcement, courts, social service providers, policymakers and scholars are in search of more effective and less costly solutions for handling young offenders and reducing crime. Youth courts, also labeled peer or teen courts, offer an excellent model for achieving both. These programs put first-time, low-level misdemeanor juvenile offenders on “trial” in a court made up of young volunteers who are trained to act as both attorneys and jurors. These young volunteers have a unique influence—they exert peer pressure while also wielding authority to impose an alternative sentence. By having youth involved on both the giving and receiving ends of the trials and focusing on fair and corrective dispositions, youth courts are teaching

responsibility, developing youth leaders, reducing recidivism and saving justice system resources.

This case study profiles a successful youth court program in California started by the Riverside Police Department with contributions from the Volunteer Center of Riverside County and a number of city agencies. The program plays a critical role in improving safety in schools and neighborhoods and serves as an example of how youth courts can be a valuable component of the juvenile justice system.

NEED FOR CHANGE

In 2004, a coalition of representatives from city government, criminal justice agencies, school departments and the community came together to create change within an overburdened and increasingly dysfunctional juvenile judicial system. Riverside Youth Court Coordinator Lieutenant Ken Reya explained the problem, “The sheer number of petty crime infractions being

committed—things like marijuana possession and shoplifting—made it impossible for the juvenile court systems to keep up. Cases were thrown out and youth were not being held accountable for their actions.”

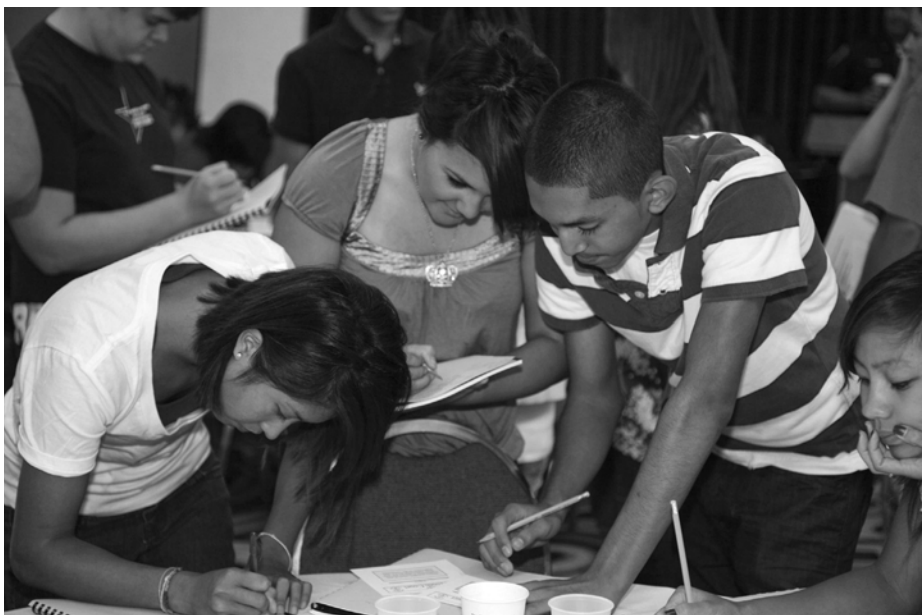
By failing to properly address issues from the onset, the juvenile justice system was perpetuating opportunities for those issues to develop into something more serious and difficult to repair. The coalition was looking for a solution to address this shortfall that was taxing them all—police officers were

2009 MetLife Foundation Community-Police Partnership Awards

This publication is part of a series published by the Local Initiatives Support Corporation's Community Safety Initiative as part of the MetLife Foundation Community-Police Partnership Awards program. Sponsored by MetLife Foundation since 2002, the Awards celebrate and promote exemplary community safety strategies bolstered by collaboration between police and neighborhood leaders. LISC and MetLife Foundation believe that public safety is an integral component of building strong and healthy communities. Law enforcement and community building—from economic development to youth programs to neighborhood beautification efforts—yield greater benefits for neighborhoods when they are strategically integrated. For more information about LISC or the MetLife Foundation Community-Police Partnership Awards, please visit www.lisc.org. For more information about the Foundation, please visit www.metlife.com



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The Riverside Youth Court volunteer program has steadily grown in popularity throughout the years. Nearly 75 high school students signed up for a recent training session conducted by RYC staff.

dealing with repeat arrests, schools were dealing with crime and disorder and courts were dealing with endless paperwork.

The youth court model was identified as a promising option. “We looked to the youth court model with four goals in mind,” said Lt. Reya. We needed to create a streamlined process, intervene faster, adequately address behavioral issues, and lessen the burdens on the system.”

PROGRAM DEVELOPMENT

Youth courts are typically operated by a city or town’s juvenile justice system, school system or a private nonprofit organization. When developing the Riverside Youth Court (RYC) program, the planning team tapped the Riverside Police Department’s Special Operations division to lead it. By having the police department run the program, school resource officers and patrol officers could refer young people directly to the program, rather than a nonprofit or a school having to refer the youth through the probation department. “In deciding to operate the program out of the police department we were eliminating a middle step,” said Defense Attorney Tera Harden, a RYC volunteer. “When developing a program, it is important to consider which partner has the capacity to handle the program’s day-to-day operations and can offer

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the most efficient process possible.”

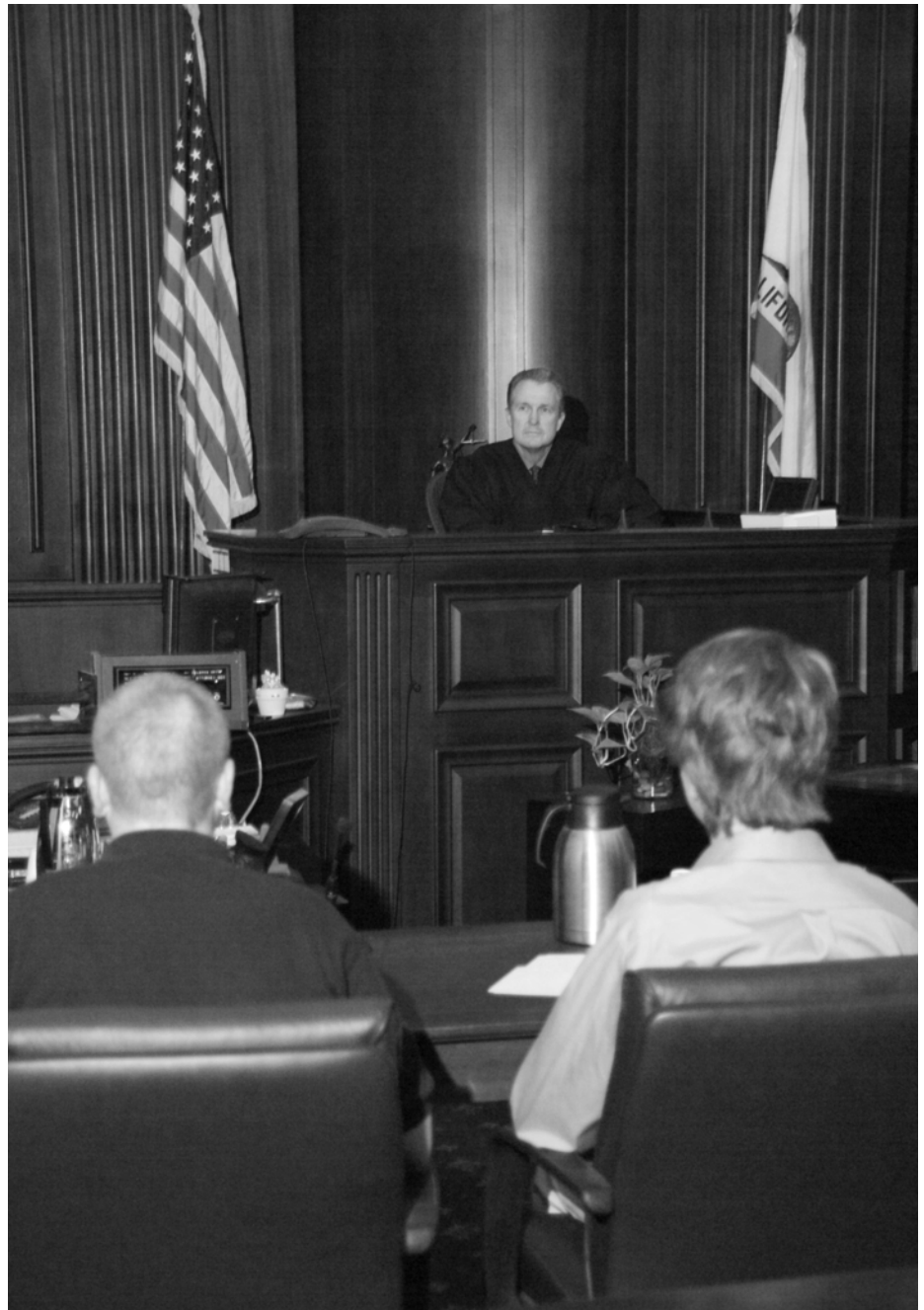
The program is run by five dedicated staff members. Four are sworn police officers and one is a civilian officer. RYC developed a diverse advisory council to help with program coordination and development. Council members include the Police Department, the Mayor’s Office, the Juvenile Court, the Juvenile Probation Department, the Riverside County District

Attorney’s Office, the Riverside and Alford Unified School Districts, the Riverside Youth Council, the Riverside Bar Association and county judges.

THE YOUTH COURT MODEL

The Riverside Youth Court has well-established procedures for handling all cases from the initial referral phase on through to the juvenile’s completion of the program. Depending on where an offense

occurs, either detectives or patrol officers, probation department personnel or school resource officers will process the case. They are trained to refer cases meeting certain criteria—first-time low-level misdemeanor offenses committed by juveniles between the ages of 10 and 17 within the boundaries of the City of Riverside—directly to the Youth Court program. Other cases go to the Records Bureau Court Filing Ser-



An adult volunteer judge presides over the court room to monitor the youth volunteers who act as defense and prosecution attorneys, bailiffs, clerks and jurors. The judge approves the jury’s sentence before it is handed down to the respondent to ensure it is an appropriate ruling.



Members of the jury are presented with the facts of the case directly and conduct a question and answer session in court to inform their disposition. The jury must reach consensus on a fair disposition and it must be approved by the adult judge.

vices Unit for review. Once RYC personnel accept a case, they notify the juvenile by mail and follow-up with an intake interview with the young person and his/her parent or guardian to explain the parameters of the program. To finalize eligibility for youth court, the juvenile must sign a Youth Court Agreement outlining conditions to participation, including an admission of guilt.

The Riverside Youth Court convenes twice a month at the Riverside Municipal Court. Typical offenses handled by the program include theft, vandalism, underage drinking, disorderly conduct, assault, drug possession, curfew violations, truancy and trespassing.

THE IMPACT OF POSITIVE PEER PRESSURE

The youth volunteers who participate in trials as jury members, attorneys or bailiffs gain a tremendous amount of firsthand knowledge about the justice system and receive community service hours for their commitment. The young volunteers receive

pre-trial training and ongoing mentoring from a volunteer attorney, learning how to present opening statements, and conduct depositions and cross-examinations. “We follow the same procedures as a regular court and the young volunteers do a great job adopting this professionalism. It is quite impressive,” said RYC Coordinator, Officer Halford Webb. Lt. Reya noted that young people volunteer to participate in RYC for a variety of reasons. “Many want to become lawyers after college and they are there to learn or gain a valuable volunteer experience.”

Having other youth act as the authority is also what makes RYC successful in putting juvenile offenders on a different path. “As in any juvenile-involved trial, the court is closed to the public. In reality, the public is present at these trials, in the form of the youth’s peers who make up the court. These volunteers are the same age, have similar experiences and often see the respondent every day in school,” explained Attorney Harden. “This dynamic makes the ses-

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sions more productive because the juvenile respondents are truly held accountable.”

GROUNDING IN RESTORATIVE JUSTICE

Youth who attend youth court do not have criminal charges filed against them as they would in the traditional juvenile justice system. Attorney Harden notes, “The Riverside Youth Court program differs from traditional courts in that in youth court, guilt is not an issue. Since the youth has already admitted wrong-doing, our focus is not on proving guilt or innocence and pun-



Parents from MADD speak about losing their son to a drunk driver during a TEMPO session attended by RYC juvenile respondents.

ishing the respondent. Rather our goal is to create a positive experience by teaching the youth a new way to think about responsibility and the consequences of their actions.”

In order to develop a sense of civic responsibility and empathy within the youth, jury duty and community service are standard components of every disposition. Depending on the circumstances of the case, a disposition can also include one or more of the following: a letter of apology, an essay, attendance at an educational workshop, counseling, restitution, drug testing, a jail tour, curfew restriction or behavior contract. The sentence must be completed within a three month period and RYC personnel monitor cases after the trial to ensure the youth respondents are able to successfully comply with their disposition requirements.

The Volunteer Center of Riverside County (VCRC) provides the required community service placements. Having assisted adults in finding community service opportunities in the county since 1966, the VCRC was a natural choice to vet and establish program agreements with local non-profit organizations interested in hiring RYC youth for community service.

The young people have the option to select a placement from a database of approved organizations. Typical placements include spending time doing crafts or reading at senior homes; volunteering with Riverside County Parks and Recreation Centers to clean up parks, plant trees, and clean graffiti; working at the YMCA or at non-profit thrift stores; and working on Habitat for Humanity projects.

“We see the results of the program through the tremendous change in the mindsets of the kids from before and after,” said Enedina Luna, VCRC Program Director. “The youth who have participated in the program really show great insight and a new sense of civic responsibility when they complete their reflective essay on their experience. They are not only learning from their direct experience, but also through working in social service organizations where everyone is committed to their job and committed to helping others.”

The VCRC also provides an educational alternative sentence option through TEMPO, the Teen Education Mentoring Program Option. “TEMPO is a unique program that gives juveniles a serious look into the potential consequences of their

choices or actions,” said VCRC CEO Roberta Neff. Youth who participate in the program get tours of juvenile hall, the county jail or a trauma center, and hear stories from people who have made bad choices in their lives and those who were victims of bad choices. “The goal is to teach young people that there are consequences to every decision or action they make and it is important to keep these results in mind. Good decisions will lead to good results. We are teaching youth that if they change their behavior, they can live healthy, constructive and productive lives.”

PARTNERING TO PREVENT SUBSEQUENT YOUTH OFFENSES

One of the most impressive aspects of RYC is the number of agencies and volunteers that participate in the program. “These agencies are working pro-bono, after hours and receiving no compensation for their services,” said Neff. A number of legal professionals volunteer with RYC to provide mentoring, oversight and advisory capacity to all of the youth participating in the trials. “Our advisory board has representatives from a variety of agencies. As these representatives see our program’s success, they go back and share it with their colleagues. This has created a ripple effect where we are receiving new support and buy-in all the time,” said Lieutenant Howe.

Faith in the youth court model has provided a common ground for agencies not accustomed to collaborating together. Attorney Harden provided an example, “Defense lawyers and police officers often see one another as the opposition and rarely see eye to eye. But the youth court alternative, with its achievements in turning around negative youth behavior, was a solution both parties agreed upon.” Harden went on to say, “The

“The goal is to teach young people that there are consequences to every decision or action they make and it is important to keep these results in mind. Good decisions will lead to good results. We are teaching youth that if they change their behavior, they can live healthy, constructive and productive lives.” — Volunteer Center of Riverside County CEO Roberta Neff

YOUTH COURT BY THE NUMBERS – NATIONAL FACTS AND FIGURES

Varying by size, objective and structure, there were **1,255** youth court programs (also known as teen, student or peer courts) in existence throughout **49** states and the District of Columbia as of 2006; this is a dramatic increase from the **78** youth court programs in existence in 1994.

Youth Court Program Operations

- ▶ **42%** of youth courts are operated by Juvenile justice system-based programs.
- ▶ **36%** are School-based programs
- ▶ **22%** are community-based, incorporated as, or operated by, private nonprofit organizations.

Youth Court Functions

- ▶ **93%** of youth court programs in the U.S. require youth to admit guilt prior to participating in youth court.
- ▶ In the **7%** of youth court programs that allow youth to plead “not guilty”, if a youth chooses to plead “not guilty”, the program conducts a hearing to determine guilt or innocence. If the defendant is found “guilty,” then an appropriate disposition is rendered by the youth court.
- ▶ When defendants successfully complete a youth court program, **63%** of youth courts dismiss the charges. **27%** immediately expunge the defendant’s record.

Youth Court Program Models

- ▶ **53%** of youth courts use the Adult Judge Model.
- ▶ **31%** use the Peer Jury Model.
- ▶ **18%** use the Youth Judge Model.
- ▶ **10%** use the Youth Tribunal Model.

Program Design

- ▶ **70%** of youth courts hold hearings all year long vs. **28%** of programs that operate during the school year only.
- ▶ **55%** of youth courts close their hearings to the general public.
- ▶ **53%** of youth court programs require respondents to participate in jury duty at least once as part of their sentence.
- ▶ **30%** of youth courts hold hearings at least once a month.
- ▶ The average amount of training that most youth court volunteers receive is **10** hours.
- ▶ The average reported annual budget for a youth court program is approximately **\$32,767**.



Typical Sentencing Options

- ▶ Community Service
- ▶ Oral/written apologies
- ▶ Essays
- ▶ Educational Workshops
- ▶ Jury Duty
- ▶ Restitution
- ▶ Alcohol/Drug Assessment
- ▶ Curfew
- ▶ Tutoring
- ▶ Counseling
- ▶ Drug Testing
- ▶ Victim Awareness Classes
- ▶ Victim/Offender Mediation
- ▶ Peer Mediation
- ▶ Jail Tour
- ▶ Observe Teen Court
- ▶ Mentoring
- ▶ Suspend Driver’s License

Information is drawn from the National Youth Court Database (October 2006)

FOUR PROBLEM-SOLVING COURT PROGRAMS – INNOVATIVE PARTNERSHIPS BETWEEN THE JUDICIAL SYSTEM AND THE COMMUNITY SEEK TO REDUCE RECIDIVISM.

Community Court – Similar to youth courts but geared towards adult offenders, community courts sentence low-level offenders to pay back the neighborhood through community service, while at the same time offering them help with problems that often underlie criminal behavior. Local residents, businesses and social service agencies are actively engaged with the community court, organizing community service projects and providing referrals to social services, including drug treatment, mental health counseling, and job training. The first community court in the country was the Midtown Community Court, launched in 1993 in New York City. Over 30 community courts now exist throughout the country, inspired by the Midtown Community Court model.

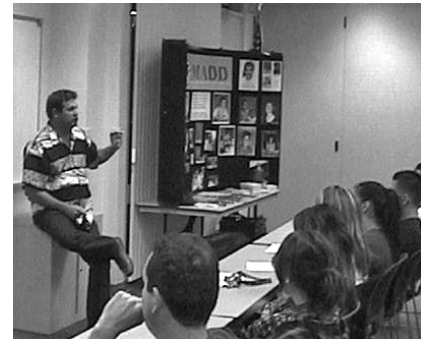
Domestic Violence Court – Domestic violence courts were developed to better support victims, providing intensive monitoring to ensure offender compliance with orders of protection, and improved victim access to court case information, social services, housing and counseling. Domestic violence courts achieve these goals by increasing information sharing, communication and coordination among criminal justice agencies and community-based social services, providing an on-site victims advocate and guaranteeing judicial dedication to cases from arraignment through post-disposition. Over 300 courts nationwide process domestic violence cases using these specific mechanisms.

Drug Court – With over 2,140 drug courts established in all 50 states, the drug court model is considered an effective holistic model for reducing drug abuse and drug related crime. The model seeks to provide convicted drug users with the appropriate sentence that contains both necessary treatments and intensive monitoring mandates. The courts build a close collaborative relationship between criminal justice and drug treatment professionals who all work in concert to enforce compliance with court orders and to support and monitor a participant's recovery.

Mental Health Court – Mental Health Courts work to develop collaboration between practitioners in the criminal justice and mental health field to make long-term community-based treatment available to offenders in lieu of a prison sentence. In focusing on addressing the mental health needs of offenders with individualized treatment plans and ongoing monitoring, mental health courts are reducing criminalization among participants and addressing the public safety concerns of communities. The first formal mental health court program was developed in Indianapolis. Today there are over 200 mental health courts across the country, and more are being planned in order to address the significant overrepresentation of people with mental illness in the criminal justice system.

Information is derived from the Center for Court Innovation.

For additional information on how to engage prosecutors in public safety partnerships see the 2008 CSI Community Safety Paper Series publication, *Beyond Community Policing*.



RYC juvenile respondents attend a TEMPO session at which they are educated on the consequences of drug and alcohol from a presenter who was once an addict and spent time in prison.

Riverside Youth Court program works because while we all come from different backgrounds with different opinions, we came together with open-minds and were able to collectively develop a program that ties in the strengths of each agency involved.”

THE ROLE OF YOUTH COURT IN THE JUVENILE JUSTICE SYSTEM

The reality is juvenile court systems often do not have the capacity to handle all low-level misdemeanor cases. Most youth courts deal strictly with first time offenders thus alleviating pressure on the juvenile courts and addressing disparities in the system.

RYC not only reduces case loads on the juvenile level, it also prevents future cases filed in adult court. Police, judges and district attorneys all consider RYC as a tool to proactively prevent criminal behavior by positively influencing at-risk

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individuals. Judge Tomas H. Cahraman of California Superior Court stated, “Youth Court saves kids. I enjoy presiding over those hearings because I can tell that we’re making a difference at every session. The re-offense rate is very low—the program really works. On the other hand, when I have presided over a criminal calendar court, frequently I must sentence 18 or 19 year-old kids to long terms in prison. I will look at these kids’ records and see a trailing list of infractions, offenses such as truancy and minor in possession of tobacco.

It is heartbreaking how a kid will progress, within a year or two, from infractions such as these to a felony such as armed robbery. The point, of course, is that Youth Court might have made the difference for a young person such as that. If so, we would have avoided the crime, avoided the need to have a victim, and avoided the need to send anyone to prison.”

RYC is also cost efficient. It relies heavily on volunteer help which reduces its operating budget to far less than what the cost of the regular juvenile justice

process would be for the same caseload. The cost of incarceration for one juvenile in California has risen from \$119,880 in 2005 to \$216,081 in 2008; the cost per juvenile on probation is anywhere from \$500 to \$2,400. By handling its portion of the juvenile misdemeanor cases, RYC provides the Probation Department with an approximate savings of \$50,000 to \$240,000 a year. The savings associated with the prevention of more serious delinquency and crime in the adult system is of course not included in this estimate.



Youth Court volunteers participate in day-long training sessions at which they learn about the juvenile justice system, the concept of restorative justice and the deliberation process.

RESULTS

Since 2004, only 7.6% of the over 630 juvenile offenders who successfully completed their youth court process in Riverside re-offended within two years of the original offense. While specific data is not available, program partners note that this recidivism rate is far lower than the average rate of juvenile recidivism prior to the program's inception. In essence, RYC has helped many young people get off a path that was leading them to engage in criminal acts, and instead to choose a route of more productive community involvement and self development.

Over 860 young people have volunteered over 18,000 hours to the youth court program. Juvenile offenders have completed over 7,000 service hours throughout the community as ordered by their peers. RYC receives strong community support in return; local businesses regularly donate their time and the supplies needed to help keep the program operating.

RYC staff and Advisory Council members are actively engaged in improving and expanding the program. The program's staff is a member of the California Youth Court Association which assisted in creating the Second Annual California Statewide Youth Court Summit, held in San Diego in June 2007. They have shared their expertise with at least six other jurisdictions to facilitate replication. "We have established a strong research base that we freely share with other Riverside County agencies," said RYC Coordinator Officer Webb.

The youth court program helped the city of Riverside win the 2008 "100 Best Communities for Young People" award. The City also has a Youth Council made up of student representatives from each high school in the city which advises the mayor and City Council on youth issues. These initiatives create an environment in Riverside where collective standards for behavior and civic engagement are clear. These standards are reinforced by youth among their peers, which promotes public safety in ways that are difficult to measure. With continued

support from city agencies, businesses and community groups, and through the ranks of the Riverside Police Department, Riverside Youth Court will continue to assist the city in creating a safe and supportive place for young people to grow and thrive.

"The Youth Court Program couldn't exist without the dedication and commitment from organizations such as the Volunteer Center of Riverside County. We are proud that our cooperative efforts with VCRC and other agencies have had such positive impacts on so many youth in our city"

— Riverside Chief of Police Russ Leach



RYC Coordinator, Officer Webb leads a training session for new Riverside Youth Court volunteers.

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