

Santa Cruz County Teen Peer Court

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History of Santa Cruz County Teen Peer Court

- Advisory Board Established October 1994
- First Santa Cruz County Teen Peer Court January 9, 1995
- Over 40 county attorneys and 20 judges have donated their time
- Started at three high schools in North County
- Now serving all schools, with court held in both North and South County
- Court held twice a month

What is Teen Peer Court?

- A courtroom run by teens
- Typically first offenders, between the ages of 13-17
- Acknowledged role in committing an offense
- Agree to be sentenced by their peers
- Teens perform roles of attorneys, clerk, bailiff and jury
- Judge is the only adult with active role
- The sentence of the jury is not altered by the judge
- Once sentence is complete - charge is erased
- Other Option: Peer Tribunal/Jury – no adult judge, held in non-court environment

Purpose

- To interrupt the developing pattern of criminal behavior in juveniles by promoting self-esteem, motivation for self improvement and forming a healthy attitude toward authority.
- Provides an opportunity for teens to demonstrate to adults and themselves their capacity for self government and responsible citizenship.

The Adult Volunteers

- Judges
 - Role is scripted
 - There to officiate and sign constructive sentence form
- Mentoring to Teen Attorneys is provided by
 - District Attorney's Office
 - Public Defender's Office
 - Members from the local Bar Association
- Law Enforcement
 - Testifying at hearing
 - Expert Witness
 - Providing property evidence for hearing
- County Drug and Alcohol Services
 - Expert Witness
 - Substance Abuse assessments

Teen Volunteers

- Teens are recruited from local high schools to serve in the roles of:
 - Prosecution Attorney
 - Defense Attorney
 - Court Clerk
 - Bailiff
 - Jury
- Students can receive community services hours
 - 3 hours for court observation
 - 4 hours for jury, clerk and bailiff
 - 15 hours for attorney

Role of TPC Prosecution

- Painting a picture of impact to community or victim
 - Make sure victim has a voice
 - Contact victim, if approved by coordinator
 - Victim impact statement
 - Contact police officer, ask for help from mentor
 - See if evidence can be brought in to court (Police property items, photos, signs, video, etc)
 - Plan ahead evidence takes a while to obtain
 - Look for possible expert witnesses (security guard, principal, store owner, probation officer)
 - Look for aggravating circumstances

Role of TPC Defense

- Contact the defendant immediately
- Painting a picture of defendant to the jury
 - Humanize the defendant
 - Ask defendant about friends, teachers and others that know and respect them
 - Talk with parents
 - Plan ahead, who will you call as a witness
 - Look for a person that will help your client
 - Don't call too many witnesses beside the defendant
 - Look for mitigating circumstances

Role of Clerk and Bailiff

- Clerk
 - Read oaths of responsibilities and swears in:
 - prospective and approved jury members
 - Court translators
 - Witnesses, and
 - Bailiff
- Bailiff
 - Opens court with "All rise.."
 - Takes charge of jury

Teen Peer Court Jury

- No special training is required to become a Juror
 - Jury is chosen from volunteers arriving the night of court
 - Try to chose a diverse panel
 - They receive jury instruction prior to beginning of court and again prior to entering jury room
- Determine appropriate sentence
 - Based on information presented in court
 - They can ask questions of witnesses
 - Their decision is final
 - No adults in the jury deliberation room

Sampling of Offenses

Past few years

Battery 14	Resist, Delay, Obstruc 3	Joy- riding 1	Auto Theft 2	Burglary 4	Possess Alcohol 11
Counterfit 2	Petty Theft 37	Driving 8	Prowling 3	Forgery 4	Con- spiracy 3
Mari- juana* 21	Weapon 8	False ID 1	Hit and Run 2	Van- dalism 20	Public Intox 5

11357 (E) HS Possession of Marijuana on School Campus - 2
 11357 (B) HS Possession of Marijuana Less than 28.5 grams- 1
 11359 HS Possess Marijuana Hashish For Sale- 4
 23222(B) VC Possession of Marijuana in Vehicle- 2

Incentives

Good

- Diversion form traditional justice system
- Community Service for volunteers

Bad

- Diversion not always a strong incentive

Effective

- Intake – positive interaction with youth, giving them a voice

Restorative Justice Model

- Crime as a wound, where justice requires a sentence to heal victims, communities and offenders injured by crime.
- Sentencing options should focus on:
 - Community Safety
 - Accountability
 - Competency Development

Restorative Dispositions

- **GOOD**
 - Jury decides disposition (sanctions)
 - Based on evidence presented
 - Can be creative – no jail time
 - Disposition must be restorative
 - Disposition is always respected by the respondent
 - Judge is always impressed with the thoughtful deliberation
- **BAD**
 - Peer justice can be harsher than traditional probation sanctions

Restorative Dispositions

- **EFFECTIVE**
 - Peer to peer respect
 - Restorative practices
 - Sanctions customized for the crime and individual
 - Not letting the youth fail – providing additional supports
 - College Interns as mentors for case management
 - Constant follow-up and check-ins
 - 98% completion rate

Teens Served 2015

- 47 cases referred
 - 37 completed
 - 2 returned to referring agency
 - 8 in process of completion
- Reach 2,200 juveniles annually

What does TPC offer Youth

- Participation in a live civics lesson
- Involved in legally binding decisions for their fellow peers
- Builds confidence in public speaking
- Focuses on restorative justice
 - Teenagers are not getting caught in the judicial cycle
 - They are being enriched and restored to society
- Practice problem solving skills
- Job shadowing/mentoring in fields of justice/law
- Fulfills community service hours

What Worked for Santa Cruz

- Consistent School Site recruitment of volunteers
- [Links to Mock Trial Teen Attorneys](#)
- 15 - 17 year old defendants
- “juicy” cases
- Attorney Trainings
- Creative sentencing options
- SRO links
- [UCSC Interns](#)
- [Detailed Instructions](#)
- Database for follow-up and tracking

What Did Not Work

- Lack of consistent school connection
- **Links to Mock Trial attorneys**
- 12-13 year old defendants
- Repetitive similar case referrals
- Cases with mental health issues
- **UCSC Interns**
- **Teen Attorneys not following detailed instructions**
- Small pool of volunteer adult mentors

Contact Info and Resources

California	National/International
<ul style="list-style-type: none"> ▪ Santa Cruz County Teen Peer Court <ul style="list-style-type: none"> - Jo Ann Allen, joallen@santacruzcoe.org - http://www.facebook.com/SantaCruzTeenCourt ▪ California Association of Youth Courts <ul style="list-style-type: none"> - http://calyouthcourts.com/ - Over 80 Youth Courts in California ▪ Youth Court Fact Sheet <ul style="list-style-type: none"> - http://www.courts.ca.gov/document/2/Youth_Courts.pdf ▪ California Courts – Peer/Youth Courts <ul style="list-style-type: none"> - http://www.courts.ca.gov/5991.htm 	<ul style="list-style-type: none"> ▪ National Association of Youth Courts <ul style="list-style-type: none"> - www.youthcourt.net - First court started 1972 – Naperville, Illinois - 1,400 Youth Courts across the country - 20 State Associations ▪ Center for Court Innovation <ul style="list-style-type: none"> - http://www.courtinnovation.org/topic/youth-court ▪ Youth Courts International <ul style="list-style-type: none"> - http://youthcourtsinternational.org/

Thank You

Questions and Answers
