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	Resist,	Joy-	Auto	Burglary	Possess
	Delay,	riding	Theft		Alcohol
14	Obstruct 3	1	2	4	11
Counterfit	Petty	Driving	Prowling	Forgery	Con-
	Theft				spiracy
2	37	8	3	4	3
Mari-	Weapon	False ID	Hit and	Van-	Public
juana*			Run	dalism	Intox
21	8	1	2	20	5
1357 (E) HS Poss	ession of Mariiua	na on School Car	mous - 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

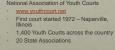
What Did Not Work

- 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
 National Association of Youth Courts
- Santa Cruz County Teen Peer Court
 Jo Ann Allen, joallen@santacruzcoe.org
 <u>http://www.facebook.com/SantaCru</u> z.teenCourt
- California Association of Youth Courts
- <u>http://calyouthcourts.com/</u>
 Over 80 Youth Courts in California
- Youth Court Fact Sheet
 <u>http://www.courts.ca.gov/document</u>
 <u>s/Youth_Courts.pdf</u>
- California Courts Peer/Youth Courts
 http://www.courts.ca.gov/5991.htm



Center for Court Innovation <u>http://www.courtinnovation.org/topic/yout</u> <u>h-court</u>

Youth Courts International
 <u>http://youthcourtsinternational.org/</u>

