

Alaska Youth Courts
Evaluation and Impact Assessment

Final Report

Prepared for:

Alaska Department of Health and Social Services
Division of Juvenile Justice



Research-Based Consulting

Juneau
Anchorage

September 2010

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Executive Summary

This evaluation and impact assessment of Alaska youth courts was performed by McDowell Group between January and July 2010 under contract to the Alaska Department of Health and Social Services Division of Juvenile Justice. Following are major findings and recommendations based on that research.

Major Findings

Alaska youth courts had a low collective re-offense rate after six months of approximately three percent for 2,418 cases handled during FY07 through FY09. Though calculated slightly differently, this rate compares favorably with the six percent re-offense rate identified for the Anchorage Youth Court in a 2002 study by the Urban Institute. The records analyzed included defendants who did not successfully complete their youth court sentences as well as those who did.

Nineteen percent of the defendants studied reoffended at some time before they turned 18, a time period that ranged from just a few weeks to eight years, depending on the age of the defendant at the time of his or her first offense. Records for re-offenses that may have occurred after defendants turned 18 were not available.

The youth court process is complex and potentially far reaching. To judge it purely or mainly by re-offense rates is to miss the majority of its potential benefits. Those benefits include a more focused, individualized and age-appropriate process for defendants, more communication with defendants' parents and with victims, a rich opportunity for education and personal growth for both defendants and youth volunteers, and a chance for a variety of adult community members to play a role in youth justice and restoration.

Those who know Alaska youth courts best say that justice meted out by peers is the most important factor in the court's success with defendants. Other elements are also important, however, including:

- Prompt follow-up with defendants throughout the process, including post-sentencing, so defendants feel involved and monitored at all times (Deterrence and procedural justice)
- A focus on the quality of the courtroom experience, especially the training, demeanor, preparation, and speaking skills of the youth judges and other courtroom personnel (Peer and procedural justice)
- Sentences that are fair and relevant (Restorative justice)
- Defendants, as well as youth volunteers and parents, learn about the legal process and have the opportunity to become volunteers themselves (Law-related education and inclusiveness/restorative justice)
- The opportunity to emerge with a clean record (Deterrence and restorative justice)
- The benefits of community service (Restorative justice and skill-building)

Youth volunteers benefit in many ways from their youth court experience, including learning about the law, learning new skills such as public speaking, feeling more like a part of the community, being more thoughtful about others, and feeling better prepared for their futures. Nearly all who responded to a survey said they believe youth courts are effective and that youth volunteers are doing something important for their communities. Those who expressed reservations about youth court effectiveness (just 4 percent) said that some defendants simply cannot be helped.

Nearly all the individuals interviewed or surveyed for this study said youth courts function well. When youth volunteers were asked how youth court could be improved, the three most common answers were that it works well as it is; that visibility, recruitment and participation could be expanded; and that volunteers could use more training, mentoring, and practice sessions.

When youth court executive directors were asked what improvements they would like to see, they said:

- Promote the program better to the community
- More clerical help and more paid staff time
- A more formal system for identifying and coordinating high quality work-service opportunities
- More reliable funding

It is not possible to say, on the basis of this study, whether some Alaska youth courts are more effective than others. The courts cover a broad range of communities, populations, structures, resource bases, and sophistication. They have different strengths and face different challenges. Twelve-month re-offense rates range from 0 percent in Sitka (very small sample) to 13 percent in Juneau. However, it is not possible to say from this analysis the extent to which the cases and the defendants in different communities are comparable, and re-offense statistics by no means capture the full range of program impacts.

Those who know Alaska youth courts best say that providing maximum appropriate autonomy to youth volunteers is key to producing a quality experience both for them and for defendants, victims and families. Alaska youth volunteers often have substantial say over how their youth court organizations are run, the cases they accept, the sentences they impose, and the courtroom experience of the defendants. In some instances, this includes serving on the organization's board of directors as full voting members.

As experts in nonprofit management and organizations, the study team is struck by the quantity and scope of expectations and requirements placed on Alaska's thinly staffed youth courts. Most youth courts rely heavily or entirely on a single executive director who is often a part-time employee and who, in most cases, has little or no legal or management training. That person must have a grasp of legal, social service, volunteer coordination, and other administrative principles and methods typically found only in larger social service agencies. Though this study did not include formal organizational assessments, youth courts seem highly vulnerable to administrative and program gaps caused by turnover and general lack of staff capacity. The study team emphasizes that it did not find evidence of management weakness, other than shortcomings in data systems described elsewhere. Our view is supported, however, by a history of organizational challenges encountered by programs such as those in Bethel, Valdez, Sitka and elsewhere.

Youth court directors and board members say youth courts are perceived positively in their communities but are not widely known or well understood. If resources were available, a campaign to promote general knowledge about youth courts could help with fundraising and attracting volunteers. It might also raise the perceived legitimacy of youth courts in the eyes of defendants. Increased visibility might also discourage some defendants from choosing the diversion program however, particularly in smaller communities where the social pressure of being “labeled” as an offender is already high.

Youth courts in small and rural communities face special challenges that may require extra planning and resources to overcome. Among these are a lack of anonymity for both defendants and volunteers, lack of paid staff, lack of motivated youth volunteers, and small or variable caseloads.

Recommendations

All youth courts need a data system capable of generating a standardized set of operating and impact statistics that are consistent with, and may be aggregated with, those of other Alaska youth courts. Most courts already have the capacity to do this but need to be provided with standard data definitions and collection protocols. The Alaska youth court program logic model developed last year offers a good starting point for identifying key data. Further recommendations may be found in the body of this report.

In addition to producing a set of standardized data for statewide analyses, all youth courts need a reliable record system that is able to generate reports for self-assessment, internal management decisions, and grant-reporting purposes. For all but the very smallest courts, this means a computerized system, preferably using off-the-shelf database software capable of producing pre-programmed reports. Some courts have made recent progress in this area. Some training and ongoing technical assistance will be necessary, however, to ensure that turnover in key positions does not disrupt effective record keeping.

Assessing and documenting youth court effectiveness would be much improved at both the local and statewide level if all youth courts used a similar set of questionnaires and surveying methodologies for key participant groups. Questionnaires and surveys are among the few ways to document the many important but intangible impacts of youth court such as personal growth, changes in attitude or intention, gains in knowledge or skills, etc. Currently, youth courts gather this kind of data inconsistently and seldom analyze it in ways that make it useful for either outside reporting or management decisions. Surveys need not be complex but should address the range of experiences and perceptions of youth volunteers, defendants and their families. A standardized approach for surveying victims is not as urgent because of the relatively small number of individual victims in youth court cases.

In addition to surveys, a potentially valuable source of impact information is the self-reflective essays defendants are required to write in nearly all cases. Drawing on these will require an analytical method that preserves anonymity. Text analysis software may be one option, but would require that essays be in electronic form.

There is room for more clarity with respect to how and when cases are referred and how they are assessed and either accepted or rejected by youth courts. Although most JPOs, judges and youth court directors say they communicate with each other well, lack of common guidelines, other than the general requirements in statute, leaves potential for confusion over how many referrals a youth court can expect and how to increase or decrease that number if warranted. A standardized definition of how youth courts define an “intake” would also be helpful.

As the youth court system in Alaska continues to mature, opportunities for youth court personnel and volunteers to network face to face with each other and with JPOs and other representatives of DJJ will continue to be important. Youth court functions are complex, and different courts have evolved a variety of processes and structures to meet local and state needs. While some standardization is advisable, as noted above, local variation is also appropriate for these community-based organizations. Live and videoconference meetings could be key tools for the courts to achieve a balance of homogeneity and flexibility and also for them to continue to learn from one another and from the other components of the juvenile justice system.

It is an opportune time to examine the extent to which Alaska youth courts should continue to evolve into a more institutionalized component of the state justice system. Alaska youth courts are no longer new or unusual. The model has been operating in Alaska for more than 20 years, and youth courts are viewed as an important, many would say necessary, diversion program by those who interact with them. At the same time, the youth courts are loosely affiliated, and most are small, rather fragile organizations. In addition to more integrated data, better self-evaluation, clearer referral processes, and ongoing networking, the following analyses may be appropriate follow-ups to this assessment:

- **Conduct a cost/benefit analysis of the active and emerging youth courts** to explore productivity (e.g. cases per dollar, trainings per dollar, youth volunteers per dollar, youth volunteers per case, etc.) Depending on the results of the analysis, it may be worthwhile to explore more specific guidelines for how new programs are established, as well as productivity goals (appropriate to operating scale) for existing youth courts.
- **Begin to outline a strategic planning process for the youth court system as a whole.** Examples of questions that could be asked as part of a broad-based planning process include:
 - What is the system’s vision for itself over its second 20 years?
 - What resources will be needed to fulfill that vision?
 - What information is needed to chart the course?
- **The best opportunity for a control group comparison appears to be pairing defendants from selected youth courts with defendants with similar offenses from a similar community that has no youth court.** Because of confidentiality requirements, selection of those comparison records would need to be done by DJJ staff.

Acknowledgements

This evaluation and impact assessment of Alaska youth courts was performed by McDowell Group between January and July 2010 under contract to the Alaska Department of Health and Social Services Division of Juvenile Justice. Funds for producing and printing this report were provided through a federal grant (Grant #2006-50339-AK-JL) from the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The points of view or opinions in this document do not necessarily represent the views or opinions of OJJDP or the U.S. Department of Justice.

The study team expresses its appreciation for the many people who provided information and assistance. Foremost among these were the executive directors of ten active and two emerging Alaska courts. We thank them for taking time from their demanding jobs to contribute data, materials, and the collective insights of two decades of youth court operations around the state. We also thank the ten juvenile probation officers, 13 judges or magistrates, 19 youth court board members, and others knowledgeable about Alaska's youth courts who agreed to be interviewed. Finally, we are grateful to the DJJ staff who worked diligently to develop the best, most consistent data possible for our analysis of youth court outcomes and re-offense rates.

Study Purpose

This study is the first third-party assessment of statewide youth court practices and impacts in Alaska. It focuses on the ten¹ youth courts that are currently active, those in Anchorage, Kenai Peninsula, Kodiak, Nome, Sitka, Fairbanks, Mat-Su, Juneau, Ketchikan, and Wrangell. It also examines some of the barriers to establishing youth courts in smaller, more remote communities. Study goals are to identify potential improvements in youth court practices, analyze re-offense rates for defendants whose cases are diverted to youth court, and document other impacts of the youth court program to the extent that data allows.

Study Methodology

The study team performed the following major tasks:

1. Meet with Division of Juvenile Justice (DJJ) staff to review the contents of the JOMIS database and develop a final work plan
2. Review national and historical literature on youth courts
3. Interview representatives of the following groups:

¹ The Kenai Peninsula Youth Court actually operates two courts, one in Kenai and one in Homer. Counting each separately would bring the total to 11.

- Youth court directors, including 10 directors at active courts and two at emerging courts
 - Juvenile probation officers who work with youth courts
 - Judges and magistrates who work with, or are familiar with youth courts
 - Board members from Alaska youth court organizations
4. Conduct an online survey of youth volunteers
 5. Visit selected youth court sites and observe a youth court hearing
 6. Work with youth courts and DJJ staff to develop data on past defendants and re-offense rates
 7. Analyze defendant/re-offense data from youth courts and JOMIS
 8. Present findings in a report and present them to Alaska youth court directors and juvenile probation officers

Glossary of Technical Terms

- APSIN – Alaska Public Safety Information Network
- Felony – a crime punishable by more than one year of incarceration
- JOMIS – Juvenile Offender Management Information System
- JPO – Juvenile Probation Officer, employees of the Alaska Department of Health and Social Services, Division of Juvenile Justice who handle youth offenses
- MCA – Minor Consuming Alcohol
- MICS – Misdemeanor Involving a Controlled Substance (typically marijuana)
- MIP – Minor in Possession (of alcohol)
- Misdemeanor – a crime punishable by one year or less of incarceration

Overview of Alaska's Youth Court System

Rationale for Youth Courts

The National Youth Court Center defines youth courts as programs in which youths are sentenced by their peers for minor delinquent and problem behavior. Youth courts are diversion programs that allow certain first offenders to avoid the regular court system. If they fulfill their sentences, defendants emerge without a criminal record. A district court judge or a Division of Juvenile Justice (DJJ) Juvenile Probation Officer (JPO) handles the diversion/referral process. After reviewing the case to see that it meets youth court guidelines, they may choose to offer the defendant the opportunity to agree to be diverted to youth court. School officials and police occasionally refer defendants as well.

In a benchmark 2002 report on youth courts², the Urban Institute lists the following “perspectives” or processes that are generally thought to play a role in the impact of youth courts. (See *The Impact of Teen Court on Young Offenders* by Jeffrey Butts et al for discussion of each perspective and other useful background on youth courts.)

1. Peer justice
2. Procedural justice
3. Deterrence
4. Labeling
5. Restorative justice
6. Legal education
7. Skill building

Though not typically referred to as such by the legal community, youth courts might also be described as a complex and concentrated exercise in experiential education. As in all good experiential learning, everyone involved in youth courts seems to grow in multiple ways. Those who tout the benefits of youth courts often list interpersonal skills, emotional maturity, and knowledge of the law and society as key benefits. These impacts go far beyond the ostensible purpose of youth courts, to process criminal cases in a way that minimizes re-offense rates. As one board member put it, “The main purpose isn’t to do the work that is leftover (from the juvenile justice system), it’s to be a youth educational process.”

Youth courts also benefit the traditional justice system by reducing the amount of time needed by judges, JPOs and others to handle the diverted cases. Calculation of possible efficiency benefits from youth court diversion is beyond the scope of this assessment and has never been done in any systematic way, to the knowledge of the study team.

² Jeffrey A. Butts, Janeen Buck, Mark B. Coggeshall, *The Impact of Teen Court on Young Offenders*, (The Urban Institute Justice Policy Center, 2002)

Alaska Youth Court Statutes and Diversion Process

Alaska is the only state to authorize youth courts in statute and one of the few that allow youth courts to adjudicate guilt and innocence, though this seldom happens in practice. Alaska is also unusual in the degree of autonomy and responsibility exercised by the student volunteers who perform the roles of judges, attorneys, and court officials.

Alaska statutes authorize youth courts to address several specific types of offenses. These include misdemeanors, such as minor thefts, vandalism, harassment and other undesirable behavior; underage alcohol use or possession; marijuana possession; and municipal offenses such as curfew violations and truancy. Some youth courts also handle school offenses.

In nearly all cases, youth courts handle only first offenses and only defendants who are less than 18 years of age. In the case of school infractions, youth court defendants who are high school students may be up to 19 years old.

Except for courts that have a direct relationship with the local school district, cases are referred by the district court, a local juvenile probation officer, or sometimes by local police. In each case, it is the responsibility of the referring authority to assess the offender and the offense to determine whether they qualify for the youth court process. Most Alaska youth courts also conduct their own assessments and may refuse cases they feel are not appropriate.

In all cases, the offender must formally agree to enter the youth court diversion program. Because not all Alaska youth courts adjudicate guilt or innocence, in many cases agreeing to diversion requires a plea of “no contest” or, less typically, “guilty.” Statewide, only a handful of cases involve a trial process.

Key Youth Court Functions

Youth courts, in Alaska and elsewhere, perform four main functions:

- Train student volunteers, grades seven through twelve, in the legal, administrative, interpersonal, and communications skills needed to plan and conduct hearings and to sentence offenders
- Coordinate the processing of cases and the assignment and participation of youth and adult volunteers and ensure that proper legal procedures are followed
- Establish and maintain a network of appropriate community work service opportunities and training/rehabilitation classes
- Monitor offender compliance, re-refer defendants to DJJ or district courts when necessary, and report key statistics

Most Alaska youth courts also perform all the management functions of a nonprofit corporation or agency, including recruiting and working with a board of directors, bookkeeping, fundraising, and conducting community outreach.

Though all Alaska youth courts address the same basic functions and most were modeled in part on the state's first program in Anchorage, the courts vary in many respects. For example, Anchorage and Mat-Su do not handle MCAs. In Homer, offenders can choose to be diverted to a Talking Circle program run by the local tribe. North Star offers a mediation option as well as adjudication. Nome and Kenai occasionally offer mediation as well. Where qualified — for example, Ketchikan, Mat-Su, Wrangell, and Sitka — staff may teach classes for offenders. Other courts refer defendants to other organizations for alcohol, anti-theft, and other classes. Ketchikan also provides a financial literacy class.

Composition of Alaska Youth Court Organizations

Five of the 10 active Alaska youth courts are independent 501c (3) nonprofit corporations: Ketchikan, Kenai, Kodiak, Anchorage, and North Star. Others are programs within another nonprofit, such as Nome and Sitka. Wrangell and Mat-Su are affiliated with local government, and Juneau is affiliated with the local school district. Most youth courts include the following roles for adults and youths:

- Board members (both youth and adults)
- Paid staff (adults)
- Legal advisor(s)/courtroom monitors (adults – typically the youth court director or a volunteer attorney)
- Legal trainers(s) (adults – typically volunteer attorneys or judges)
- Youth judges, attorneys, and court personnel (bailiffs/clerks)

All Alaska youth courts use the youth tribunal model for courtroom hearings. All courtroom personnel are youth volunteers, including a panel of three judges, a defense attorney, a prosecuting attorney, and usually a clerk or bailiff. Sometimes there are lead and second (trainee) attorneys. An adult observer/advisor typically interacts with the court personnel only if asked by the judges. Table 1 shows the approximate number and type of paid, full-time equivalent (FTE) positions at each court.

Table 1. Youth Court Staffing as of June 2010

Youth Court	Positions	Paid FTEs	Year Started
Anchorage	Director, Legal Advisor, Substitute Legal Advisor, Office Assistant, Volunteer Coordinator	3.0	1989
Juneau	Director	0.48	1999
Kenai Peninsula	Director	1.0	1997
Ketchikan	Director	0.8	1999
Kodiak	Director, Legal Advisor	0.32	1995/2002*
Mat-Su	Co-Directors	1.5	1996
Nome	Director (Global Ministries Volunteer)	0.5	1999
North Star	Director, Program Director, Mediation and Legal Advisors	2.0	1997
Sitka	Director (Americorps Volunteer)	0.2	2005
Wrangell	Director	0.4	2001

FTE – Fulltime equivalent

* Kodiak Teen Court was reformulated in 2002 as an independent nonprofit.

Profile of Alaska Youth Courts

DJJ provides an annual grant toward the cost of youth court operations. Most Alaska courts also depend heavily on in-kind contributions and other local sources, however. Table 2 shows the annual operating revenues for each court in FY09.

Table 2. Youth Court Operating Budgets (FY09)

Youth Court	DJJ Grant	In-Kind	Local Cash	Other	Total
Anchorage*	\$49,753	\$80,550	\$255,713	\$5,000	\$391,016
Juneau	34,953	23,300	12,130		70,383
Kenai Peninsula	45,000	11,480	21,980		78,460
Ketchikan	40,000	48,635	65,288		153,923
Kodiak	25,000	2,000	11,000		38,000
Mat-Su	45,000	111,450	106,386		262,836
Nome Youth Court	25,000	35,724			60,724
North Star Youth Court	40,000	81,371	31,131	136,711	289,213
Sitka	10,000	29,414			39,414
Wrangell	10,000	6,336	5,225		21,561

* Source: Division of Juvenile Justice, Anchorage Youth Court, Ketchikan Youth Court

Alaska youth courts handled more than 2,700 referrals in fiscal years 2007 to 2009. Of those referrals, the four largest courts — Anchorage, Mat-Su, North Star, and Kenai Peninsula — handled 78 percent. The number of cases referred remained fairly stable from year to year for most youth courts.

Table 3. Case Referrals to Alaska Youth Courts, FY07 to FY09

Youth Court	FY07	FY08	FY09	Total
Anchorage	302	326	242	870
Mat-Su	166	155	167	488
North Star	134	138	138	410
Kenai Peninsula	138	108	120	366
Juneau	77	56	52	185
Nome	75	28	33	136
Ketchikan	47	46	47	140
Kodiak	39	20	17	82
Wrangell	15	6	13	38
Sitka	2	4	7	13
Valdez	12	7	0	19
Totals	1,017	894	826	2,737

Source: Division of Juvenile Justice

Tables 4 through 7 show selected *average annual* operating statistics for the ten Alaska youth courts that were active during the period from FY07 to FY09. Valdez is not included because it was not actively hearing cases during 2009.

Table 4. Average Annual Youth Court Referrals and Exits, FY07 through FY09

	Anchorage	Mat-Su	Kenai Peninsula	North Star	Juneau	Nome	Ketchikan	Kodiak	Wrangell	Sitka	Total
New clients referred	290	163	122	137	62	45	47	25	11	4	906
% Referrals from District Court	0%	30%	73%	56%	69%	79%	75%	67%	88%	0%	38.5%
Referrals from School District	0%	0%	0%	0%	0%	3%	1%	0%	0%	38%	0.4%
% Referrals from Juvenile Probation	100%	70%	27%	44%	31%	17%	24%	33%	12%	62%	61.1%
Clients exiting youth court	297*	146	78	132	48	10	21	22	5	4	762
Clients completing YC sentence	221	110	71	109	39	9	18	16	2	4	599
Clients not completing YC sentence	75	36	7	23	9	1	3	6	2	0	163
% Clients completing YC sentence	75%	75%	91%	83%	82%	87%	86%	72%	50%	92%	79%

Source: Division of Juvenile Justice

*Exits may include clients referred in the prior year.

Roughly one-third of new referrals came from district court judges and magistrates. Two-thirds bypassed the court and came through Juvenile Probation Officers. Note that not all defendants who are referred to youth court are accepted and receive services. The average annual number of new clients accepted and served is shown in Table 8, below.

Approximately 79 percent of defendants who were sentenced in youth court successfully completed all the terms of their sentences. If a youth court determines that a defender will not complete his/her sentence, the youth court refers that person back to the original referrer. Typically, this means that the offense remains on the defendant's permanent record.

Table 5. Average Annual Percent Hearing Activity by Type of Offense, FY07 through FY09

	Anchorage	Mat-Su	Kenai Peninsula	North Star	Juneau	Nome	Ketchikan	Kodiak	Wrangell	Sitka	Total
Number of hearings	280	122	109	131	52	15	33	25	9	7	784
MCA/MIP	0.1%	27.7%	72.8%	54.5%	65.7%	37.8%	60.9%	63.6%	71.8%	0.0%	34.9%
School Suspension	0.0	0.0	0.0	0.0	0.0	5.4	0.0	0.0	0.0	0.0	0.1
Curfew violations	0.0	0.0	0.0	0.0	0.0	6.8	0.0	0.0	0.0	0.0	0.2
Tobacco violations	0.0	0.0	0.0	0.0	2.9	12.2	6.0	0.0	7.7	0.0	0.9
MICS (marijuana)	9.1	4.6	3.5	3.6	7.4	0.0	0.0	9.1	0.0	33.3	5.7
Shoplifting	60.0	46.0	18.3	28.7	12.6	1.4	14.3	6.5	0.0	26.7	37.4
Traffic violation	0.0	0.0	0.0	0.0	0.0	5.4	3.0	0.0	10.3	0.0	0.4
Assault 4 (bullying)	3.0	3.3	0.8	2.9	1.1	18.9	0.8	7.8	0.0	0.0	3.0
Other charges	27.7%	18.4%	4.6%	10.3%	10.3%	12.2%	15.0%	13.0%	10.3%	40.0%	17.2%

Source: Division of Juvenile Justice

The records show that the composition of cases heard by each youth court varies. Sometimes this reflects a decision by the court not to accept certain types of cases. For example, Anchorage does not accept alcohol offenses. In other communities, local judges and JPOs determine the composition of cases by their referral decisions. Youth courts engage in varying degrees of dialogue with their referral sources about the types and other characteristics of the cases they receive.

Table 6, following page, shows that youth courts ordered approximately 17,700 community work service hours per year. Defendants worked approximately 83 percent of the CWS hours ordered. Note that, in some cases, sentencing is not complete because of reasons beyond the control of the defendant and the youth court. For example, parents occasionally refuse to cooperate with sentencing. The amount of CWS hours per order also varies, with Nome and Sitka assigning the fewest and Wrangell and Ketchikan the most hours per order. Payment of restitution is a factor in a limited number of cases. Approximately \$8 of every \$10 of restitution ordered was actually paid, according to DJJ records.

Table 6. Average Annual Sentencing, FY07 through FY09

	Anchorage	Mat-Su	Kenai Peninsula	North Star	Juneau	Nome	Ketchikan	Kodiak	Wrangell	Sitka	Total
Offenders ordered CWS	276	115	119	117	49	43	32	18	9	5	784
CWS hours ordered	7,594	2,626	1,855	2,836	670	395	999	371	342	62	17,751
CWS hours completed	6,091	2,715	1,592	2,540	443	203	643	268	135	37	14,668
% CWS hours completed	80%	103%	86%	90%	66%	51%	64%	72%	39%	60%	83%
Avg. CWS hours per order	28	23	16	24	14	9	31	20	37	12	23
Offenders ordered restitution	17	5	0	5	2	0	2	1	3	1	36
Restitution ordered	\$4,340	\$758	\$0	\$842	\$2	\$6	\$67	\$58	\$185	\$48	\$6,306
Restitution paid	\$3,525	\$761	\$0	\$572	\$2	\$0	\$27	\$42	\$125	\$34	\$5,087
% Restitution dollars paid	81%	100%	n/a	68%	100%	0%	40%	71%	68%	71%	81%

Source: Division of Juvenile Justice

Table 7 shows that the number of youth volunteers typically signed up at any given time for a youth court varies by the activity of the court and, similarly, by the size of the community. Though not all youth volunteers pass the court exam the first time, all courts require volunteers to pass before they can take a lead role in a hearing.

Table 7. Average Annual Youth Volunteer Involvement, FY07 through FY09

	Anchorage	Mat-Su	Kenai Peninsula	North Star	Juneau	Nome	Ketchikan	Kodiak	Wrangell	Sitka	Total
Youth volunteers on annual roster*	147	58	67	155	11	9	32	65	10	21	574
Trainings held per year	80	3	19	2	1	2	8	4	2	21	142
Youth attending court training	308	50	63	52	14	10	46	46	9	61	660
Youth passing court exam	108	42	30	51	10	3	8	17	5	10	284

Source: Division of Juvenile Justice

*Some estimates were made to adjust for missing or inconsistent figures in DJJ records

Table 8 contains demographic profile information about the new clients who were accepted into Alaska youth courts during FY07 through FY09. The figures show the average annual number and percent over the three-year period. "Other Age" consists primarily of children under age 13, as well as a few clients who were over age 18 but were still high school students and were accepted into youth court for a school infraction.

**Table 8. Average Annual New Intakes, FY07 through FY09
Selected Demographic Information**

Youth Court	Average Annual New Clients	Male	Female	Alaska Native	Non-Native	% Native in Community	Age 13-15	Age 16-18	Other Age
Anchorage	237	51%	49%	11%	89%	10%	54%	38%	8%
Juneau YC	54	50	50	26	74	17	36	63	1
Kenai Peninsula	110	57	43	13	87	10	30	61	8
Ketchikan	43	60	40	28	72	23	52	40	8
Kodiak	23	51	49	16	84	13	51	41	8
Mat-Su	139	59	41	3	97	9	50	43	8
Nome YC	23	64	36	71	29	59	53	35	13
North Star	133	50	50	24	76	13	31	67	2
Sitka	4	31	69	77	23	25	38	54	8
Valdez	8	52	48	13	87	10	74	26	0
Wrangell	15	67	33	17	83	0	30	65	4
TOTAL	789	54%	46%	16%	84%	16%	45%	49%	7%

Source: Division of Juvenile Justice

Summary of Interview Research

In order to better understand the differences and similarities of the active youth courts, the environments in which they operate, and the key issues they face, the study team conducted interviews with three key groups:

- Juvenile probation officers who refer cases to youth courts
- Judges and magistrates who are familiar with youth courts
- Members of the boards of directors of youth courts

Summaries of major themes identified in each of those tasks follow.

The study team also interviewed the executive directors of each youth court and visited four sites in person. One site visit included observing a youth court hearing. The purpose of these interviews was to better understand the youth court system as a whole and the differences and similarities of individual courts. The study team has not summarized these interviews individually. Insights and observations from the executive directors are noted throughout this report and in the study conclusions where relevant.

Interviews with Juvenile Probation Officers

Overall, the ten JPOs interviewed expressed strong support and appreciation for youth courts. They did not see a need to make any significant changes to the way the courts are operating now, but most said youth courts need more funding to support those operations. Five of those interviewed have participated as youth court board members, either as volunteers or as an ex-officio representative.

1. How often are you in contact with your local youth court?

The amount and methods of contact between youth courts and local JPOs vary. For most courts there is direct contact at least weekly. In Anchorage, a JPO supervisor is in direct contact with the youth court four or five times a week.

2. Are you ever in contact with the victim of the youth you send to youth court?

JPOs typically do not have direct contact with victims (when they exist) in youth court cases. JPOs report that when contact with a victim is appropriate, it is usually handled by the youth court. In cases with property damages, JPOs typically contact victims by mail to obtain information about the value of the loss. In other cases, JPOs are most likely to contact victims when crimes are more serious.

3. Are you, or have you been, a member of the board of your local youth court?

Several JPOs are, or have been, volunteer board members for their local youth courts. In other cases, for example Ketchikan, a JPO acts as liaison to the youth court board, but is not a voting member.

4. *About how many times a month do you, personally, refer someone to youth court?*

JPOs who work with youth courts typically indicated they make between two and ten referrals a month. In smaller communities, there are not always enough appropriate cases to maintain a steady level of referrals.

5. *How do you and the other JPOs decide what cases to refer to youth court?*

The methods for directing and evaluating referrals vary from court to court, depending mainly on the types of cases each youth court accepts and whether the court handles in-school offenses for the local school district. Final decisions typically are made at the supervisor level, but JPOs say the types and severity of crimes appropriate for youth courts are, for the most part, clearly articulated. In some cases, JPOs meet face-to-face with the offender and his/her family.

6. *Do you think youth court is effective in preventing further crime or illegal activities? Why or why not?*

All ten of the JPOs interviewed say they are convinced that youth courts are effective at reducing further offenses. They referenced a variety of factors they believe contribute to good outcomes, including the education offenders receive during the youth court process, the opportunity to maintain a clean record, and the fact that consequences are forthcoming and are matched to the offense. The factor mentioned most often, however, is peer justice. One JPO said, "Being in front of a jury of their peers, not parents or school counselors but someone their age, telling them what they think, builds understanding. A basic outcome is to build empathy for the community."

7. *Do you think the authority/functions assigned to youth court are too broad, not broad enough, or about right?*

All the JPOs but one said that the authority and functions assigned to youth courts are appropriate, not too broad nor too narrow. The remaining JPO said that the practice of peer judging should be expanded further because of its effectiveness.

[NOTE: This study was not designed to evaluate the principle or practice of peer justice, itself. To do so, it would be desirable to conduct experimental research where subjects are randomly assigned to peer-justice and adult-authority processes while controlling for other factors associated with offenders' background, offense, and contact with the justice system.]

8. *If there were no youth courts, how would DJJ deal with the cases that are currently diverted there?*

JPOs indicated that youth courts significantly reduce demands on the traditional justice system and allow them to focus DJJ resources on more serious offenses. Most said that, if there were no youth courts, it would mean hiring more DJJ personnel or not responding thoroughly to a portion of cases. JPOs from one region estimated it would take one-to-two additional probationary officers to absorb the additional caseload in that region, and another anticipated that many cases would be dismissed or would not be followed up. One JPO said that in areas with no youth court, the kinds of offenses youth courts handle are automatically adjusted by letter, with no personal contact or tangible consequences. (Several youth

court directors echoed this last observation, saying they see the alternative to youth court not as the traditional justice process, but, effectively, no process at all.)

9. *If the regular court system had plenty of resources, would we need youth courts as well?*

JPOs interviewed said that, even if DJJ had the resources to respond thoroughly to all cases, youth courts would still have an important role to play. The main reason given was that peer justice is an important resource. Other reasons included:

- The regular court system is slower.
- Juveniles and their families perceive youth courts as less punitive.
- It's important to focus on restorative justice to help them not reoffend. "Don't ramrod them into court."
- It's a different approach that works better for some kids.

Finally, several JPOs mentioned the benefits youth courts provide for the volunteers.

10. *Would you like to see youth court handle more/less or about the same number of cases?*

Most JPOs said the number of cases currently handled by their local youth courts is about right. One said that the costs of some youth courts to the defendant and his/her family are a deterrent to participation by some who cannot afford them. Another JPO said the local youth court might take on more of the restitution process than it currently handles. JPOs generally did not think that youth courts should expand by taking on more serious cases.

[Note: Costs specific to youth court may include class fees, youth court fees (for some courts) and the time and travel associated with community service.]

11. *Do you think the sentences imposed by youth court are appropriate?*

JPOs were very satisfied with the sentences imposed by their local youth courts. Several said the range of sentencing options available (classes, essays, letters, of apology, etc., in addition to community service) makes for effective sentences. One JPO said the hours of community service assigned by youth courts has sometimes been unrealistically high, but that new training is addressing that.

12. *What happens to an offender who does not complete his/her sentence through youth court and is referred back to DJJ?*

Offenders who do not complete their youth courts sentences are referred back to the Division of Juvenile Justice. When that happens, the JPO has several choices:

- Provide extra time and encouragement to complete the youth court sentence
- Dismiss the case
- Initiate formal court proceedings

JPOs said that in making a determination, they may interview the offender or the offender's family to try to identify the reasons the sentence was not completed.

13. What else would you like to see done to improve the youth court process?

All ten JPOs said that youth court is a valuable and important part of the justice system. “We would be lost without youth courts.” “Youth court is good, necessary and needed.” “Youth court is a very important part of diversion activities.” “It’s an invaluable resource.”

Four JPOs say there is a need for more youth court funding, and a fifth suggested that the larger store chains might play a bigger support role, for example they might contribute a portion of any restitution money to the youth court. Other ideas included paying youth volunteers a stipend, extra funding to allow youth courts to conduct more full trials, more youth court staff to facilitate better communications with DJJ, the courts and law enforcement. Another suggestion was that youth courts might function more uniformly from place to place, but that smaller rural programs would typically need more help.

Interviews with Judges and Magistrates

Interviews were conducted with 13 judges who either refer cases to youth courts or who act as volunteer trainers for youth court volunteers. All the judges were supportive of youth courts and said they are effective. Several suggested ways in which youth courts might expand their activities, but also said that additional resources and training would be needed.

1. What role do judges play in who gets referred to youth court?

In general, the court has no direct role in cases referred by JPOs or school officials. For cases where there is a court hearing, district court judges or magistrates may offer youth court as an option to qualifying offenders. Whether and how often they do so varies somewhat from place to place and depends on several factors. These include the nature of the offense, the judge’s assessment of the defendant, and any prior agreements or understandings about referrals that may have been developed with the youth court. In any case, defendants and the parents of minor defendants must agree to the diversion.

2. Do you think youth court is effective in preventing further crime or illegal activities? Why or why not?

Those interviewed were unanimous in saying that youth courts are at least as effective as regular courts. Several said they consider youth courts significantly more successful at addressing recidivism. Some say they have seen data to this effect, but most base their views on personal experience or anecdotal evidence. Several said the strength of youth court is that, in the right circumstances, peer justice is more powerful than “an old stuffy guy in a black robe.”

3. Do you think the authority/functions assigned to youth court are too broad/not broad enough/about right?

Most judges said youth court authority is about right. Those who said the authority might be broadened suggested the following ways:

- Include more first offense property crimes
- Take on minor consuming cases for those under 18

- Address minor felonies such as minor felony property cases and possession of marijuana and paraphernalia on school grounds
- More assault cases and cases with sensitive issues. The youth court is able to assign more mature volunteers to these cases.

4. *To what extent should youth courts be rendering verdicts in addition to just sentencing?*

If youth courts were to begin rendering verdicts in a large number of cases, it would significantly complicate the system. For example, it would introduce conflict into the process that could undermine the restorative quality of the experience for defendants. Three judges said they would not dismiss the idea, but pointed out that it would require significantly more training, time, and effort on the part of the youth volunteers. One said that trials in Anchorage had proven impractical because of time and scheduling requirements.

5. *Do you think the sentences imposed by youth court are appropriate?*

Some judges said they are not familiar with the particulars of sentencing in youth courts, but that they have not heard them criticized. Those who are familiar said youth court sentencing options and guidelines are effective. One judge particularly noted the combination of giving back (CWS) and self-reflection (essays or other projects).

6. *If the regular court system had plenty of resources, would we need youth courts as well?*

Eleven of the thirteen judges said “yes.” The other two said youth courts are not necessary but are desirable. All stressed the value of peer justice and the educational benefits for the youth volunteers.

7. *If there were no youth courts, how would the justice system deal with the cases that are being diverted there?*

One judge said that in a busy justice system like Anchorage, most first-time minor offenders would simply get a letter telling them not to do it again. Another said that without youth courts, his community would go back to the days when they would “impose fines that were never collected or had any impact.” Other judges said that youth courts are not critical, particularly in smaller communities with lighter caseloads, but are desirable because of the benefits of peer justice. Still others said a key benefit of youth courts is that they allow first time offenders to emerge with a clear record.

8. *Would you like to see youth court handle more/less or about the same number and type of cases?*

Most judges said the amount and type of cases currently being handled is about right. Judges from Sitka, Fairbanks, Kodiak, Juneau, and Anchorage said there is potential to divert more cases to youth court, if the programs can handle them.

9. *What else would you like to see done to improve the youth court process?*

None of the judges felt there were any serious problems to fix, and some could think of no improvements. One judge said youth courts are vulnerable because they rely so heavily on their executive

directors. Turnover can cause a program to “go moribund.” Specific suggestions for improving youth courts include:

- More training and other steps to minimize turnover in youth judges.
- More training in the fall to accommodate the interest level of students.
- More funding.
- More interaction/sharing lessons among youth courts.
- More drug and alcohol treatment capacity in the community.
- A chance for youth volunteers to go outside the community for training and to interact with youth from other courts.
- Extend the age limit past 18 for defendants who are still in high school.

Interviews with Youth Court Board Members

The study team contacted youth court board members from across the state. One board member from Wasilla and two board members from each of the following communities were interviewed: Anchorage, Fairbanks, Ketchikan, Kodiak, Kenai/Homer, Nome, Wrangell, Mat-Su, and Juneau. Of the 19 board members interviewed, ten had spent less than five years as a board member. Four had eight or more years of experience, with the remainder reporting five to seven years on their boards.

Board members characterized youth courts as good for the court system, good for the defendants and good for the youth volunteers, as well as cost-effective. Most said the number of cases handled by youth courts is about right or could be increased. Barriers to increasing the caseload were identified as lack of resources and a need for better understanding about how youth courts work and what they are capable of, including at DJJ. Board members had a number of suggestions for improving youth courts (see question 13, below), most of which would require more resources.

1. *What motivates you to be a board member?*

When asked what motivated them to serve on the board, a common theme was “because it works”/“because it’s a good program.” Contacts cited lower re-offense rates and the value of diverting youth from the traditional juvenile justice system. One said youth volunteers not only learn legal skills but also compassion. [In the online survey of youth volunteers conducted for this study, 22 percent said what they like most about being a youth court volunteer is “learning.” More than twice as many, 53 percent, said what they like most is “helping and making a difference.” See page 30]

Many of the contacts cited previous experience with youth court in explaining their motivation. Two participated as volunteers in high school; another was a youth court mediator; another taught classes. Two of those interviewed said they saw the need for youth courts first hand during previous employment as probation officers.

A number of contacts volunteer because they enjoy helping others and making a positive difference in their community. Several also mentioned family members involved in the program as contributing to their motivation. Finally, a youth board member said she was motivated because she “wanted a voice” in her youth court.

2. *About how much time do board members spend on youth court business in an average month?*

The most common responses to this question (eight out of 19) were between one and three hours a month. Six of board members said they averaged between four and 10 hours, and two said it took 10 to 15 hours of their time each month. Board officers tend to spend more time than others.

3. *What do you think are the biggest issues and challenges facing the youth court?*

More than half of those interviewed (11 out of 19) mentioned funding as a major challenge for youth court. These contacts cited recent funding cuts and a need for more paid staff. Other themes included:

- Outreach: “The community doesn’t understand the role youth court plays in holding kids accountable.” Another interviewee stated, “Not many people know what youth court does because it’s confidential. Most people would support the diversion programs if they were aware of the positive effects.”
- Referrals: the need to keep referrals coming in; the risk that the referrals process could get bogged down; and fewer cases due to a change in local shoplifting policies.
- Recruiting enough volunteers: This includes keeping volunteers engaged in the face of other demands on their time.
- The challenge of enforcing community work service sentences: This includes ensuring that the activities used for CWS are appropriate.

4. *About how much time (person hours) does the board spend on fundraising per year?*

Most respondents indicated that board fundraising takes between 25 and 100 or so hours per year of board member’s time. Several said their boards spend zero time fundraising, and three contacts suggested percentages: 25 percent of overall board time, 50 percent of time, and 80 percent of time on fundraising.

5. *If you know it, what is the current annual budget for your youth court?*

All but three of those interviewed did not know the current annual budget of their youth court – many said they had it, but it was not readily accessible. The three budgets mentioned by contacts were: \$285,800 including in-kind office rent, \$170,000 including in-kind office rent, and \$48,895.

6. *How important are local contributions to your youth court’s budget?*

Most of those contacted said local contributions were important. Seven said they were “hugely,” “very,” or “really” important, while two said they were important. Two contacts provided the percentage of their budget represented by local contributions: 15 to 20 percent, and 5 percent. Interviewees gave many

examples of local contributions: meeting/office space in churches, the courthouse and City Hall; donated hours by legal advisors and attorneys; reduced rent; prizes from Fred Meyers; and gift certificates and other local business donations. These kinds of donations suggest at least some youth courts have taken a truly grassroots approach to assembling resources. No one cited major donors, the prime target of most nonprofit development directors, as a source.

7. *Does the board have a plan for long-term sustainability of the youth court?*

Board members from Anchorage, Ketchikan and Juneau said they have formal plans. Those from Fairbanks, Kenai/Homer and Kodiak said plans are currently in development. Board members from other youth courts either were not sure or had conflicting perceptions about whether they had plans in place.

8. *What types of staffing or budget changes would be needed for your youth court to handle all appropriate cases in your community?*

In answering, several contacts pointed out that they feel properly staffed and funded now. Most board members from smaller courts felt a single fulltime or half-time director was sufficient. Larger courts need between two and four full-time employees, according to board member estimates. This would be a 200 to 400 percent increase in some cases (from one part-time to two fulltime positions). Two board members suggested that four- to five-person staffs would be ideal for larger youth courts, and another said his court needs to add a fulltime development director.

9. *How well do you think board members understand the DJJ system and the referral process?*

Interviewees generally thought that board members understood the DJJ system, with six saying they understood it “fairly well,” and three saying “very well.” One contact said board members “loosely understand” the system, while another said they “understand the basics.” Three of those interviewed said that they didn’t understand the system as well as they should, or they had limited understanding.

10. *If there were no youth courts, how would the justice system deal with the cases that are being diverted there?*

Several interviewees said the courts would be “over-burdened” and “clogged.” Several expressed concern about youth “slipping through the cracks” and/or being held back by a criminal record. Some thought that youth cases would be ignored, whether initially or by probation officers. One said that the regular court system would hand down sentences oriented towards punishment rather than rehabilitation. Several said that their court systems would get bogged down with the extra cases.

11. *If the regular court system had plenty of resources, would we need youth courts as well?*

Nearly everyone agreed that even if the regular court system had plenty of resources, youth courts would still be needed. Contacts referred to the value of peer justice, of having an opportunity to start over without a tarnished record, of avoiding the criminal justice system, and of the educational benefits and personal growth experienced by youth volunteers. One summed up these benefits by saying, “The main purpose isn’t to do the work that is leftover, it’s to be a youth educational process.”

12. Would you like to see youth court handle more/less or about the same number and type of cases?

About half of those interviewed would like to see youth court handle more cases, including several who also want to see different types of cases, such as marijuana possession, assaults, and disorderly conduct. No one wanted to see fewer cases. One said she would like to see more mediation by her youth court.

13. What else would you like to see done to improve the youth court process?

- More public outreach (five mentions)
- Better, more reliable funding (three mentions)
- More training at DJJ (three mentions)
- Better physical location (two mentions)
- More training for volunteers
- Staff at the high school who are committed to the idea of Youth Court
- Insure that staff within the court system are willing to spend time with the Youth Court process
- Better communication with DJJ
- More experience with trials
- More adult volunteer involvement
- More resources for the executive director's salary and new computers and other equipment
- Expand the whole system statewide, including in the villages

Analysis of Youth Volunteer Survey

Survey Methodology and Participant Profile

Current youth volunteers at all active youth courts were asked to take an online survey by means of an email invitation from their local youth court director in May 2010. 164 youth signed in to the survey, and 147 completed all or most of the survey questions. Because participation in the survey was by self-selection, and not by random sampling, survey results may not be assumed to be representative of all youth volunteers. A profile of the respondents may be found below.

The distribution of respondents by youth court is roughly proportional to the size (# of annual cases) of each court. Approximately 80 percent of respondents came from 5 of the largest courts. Twice as many female volunteers responded as males. The actual distribution of volunteers by gender, age and other demographics is unknown.

**Table 9. Youth Volunteer Survey
Participant Profile**

N=164	% of Total
Youth Court Represented	
Anchorage	22%
Mat-Su	20
Kodiak	18
Juneau	11
Kenai Peninsula	10
North Star	9
Ketchikan	4
Sitka	2
Wrangell	2
Nome	1
Year participant first volunteered	
2010	19%
2009	29
2008	18
2007	13
2006	13
2005	7
2004	1
Gender	
Female	68%
Male	32

Survey Analysis

On average, the youth volunteers said they spend about seven hours a month on youth court activities. Most youth court directors say there is typically a core group of volunteers who spends significantly more than the average and a larger group that is less heavily engaged. The number of volunteer hours required by the courts varies depending on caseload.

Table 10. How many hours did you spend on youth court ...

N=144	% of Total
In the last four weeks	
Zero	25%
1 to 4 hours	22
5 to 9 hours	27
10 to 20 hours	21
More than 20 hours	5
Average	7 hours
Since school started	
Less than 10 hours	21%
10 to 19 hours	26
20 to 49 hours	49
50 to 100 hours	36
More than 100 hours	14
Average	46 hours

How effective do you feel youth court is in preventing further crime or illegal activities?

Nearly 90 percent of respondents rated youth courts effective or very effective at preventing further crimes. Just 4 percent said they think youth court is ineffective, and they were asked why. Typical answers include the following:

- Although we promote the youth court program, many of our peers simply don't care. If anything, they believe it's okay to participate in illicit activity because they'll be sent to our youth court first, as opposed to regular court.
- A lot of the older students don't really care about what happened at youth court. For example many students who tell me they went through youth court for pot possession are often still smoking pot after the fact.
- I think it gives the youth coming through a reality check, but only gives them the idea to be more safe/careful when doing illegal activities.
- We can't stop kids, its up to them to stop

Table 11. How effective is youth court in preventing further crime or illegal activities?

N=148	% of Total
Very effective	28%
Effective	60
Ineffective	3
Very ineffective	1
Don't know	8

Based on your experience at youth court, do you agree or disagree with the following statements?

Volunteers' answers suggest they have a great respect for the youth court system. 95 percent agree youth court is a positive experience for offenders. A similar percentage believes offenders are treated fairly and that the rules of the courts are reasonable. Nearly as many say that youth court sentences are fair and that the rules the courts operate under are reasonable.

Table 12. Do you agree or disagree with these statements about youth court?

N=147	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Don't know
Youth court is a positive experience for the offenders who come before our court.	65%	30%	3%	0%	0%	3%
The offenders who come before our youth court are treated fairly.	61	32	3	1	1	3
The sentences our youth court delivers are fair.	59	29	7	1	1	3
The rules for how we operate our youth court are reasonable.	58	36	3	1	0	2
The judge's closing statement in a youth court hearing is extremely important.	54	31	11	1	0	2
Youth court is better at dealing with youth crime than the regular courts are.	48	32	15	1	0	3

When youth volunteers were asked about their own youth court experience, their answers suggest a high degree of involvement and satisfaction. Respondents were nearly uniform in saying they learn a great deal from youth court. They learn about the law. They learn new skills, and their experience makes them think more about their futures, according to respondents. Nearly all say they believe they are doing something important for their communities.

Although nearly half the respondents agreed with the statement, “It’s hard to find time for youth court along with my other activities,” youth court directors say they are flexible about volunteer time commitments. The time a particular student devotes to youth court may vary substantially over the course of a year, depending on the student’s other activities and responsibilities, according to the directors.

Table 13. Do you agree or disagree with these statements about your own youth court experience?

N=147	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Don’t know
I’ve learned a lot about the law through youth court.	53%	37%	9%	1%	0%	1%
I’ve learned new skills from youth court.	57	38	3	1	0	1
I am doing something important for my community by volunteering for youth court.	57	39	3	1	0	1
It’s hard to find time for youth court along with my other activities.	15	29	26	22	7	1
I participate in youth court mainly to help me get into college.	10	15	33	33	8	1
Youth court makes me think about my future.	41	39	15	4	0	1

The answers to the next set of questions suggest that youth volunteers experience a broad range of specific benefits from their participation in youth court. Moreover, some of these benefits are difficult to obtain in a traditional education setting. Among those are having more respect for the legal process, feeling more like a part of the community, being more thoughtful about how one’s actions affect others, feeling more comfortable talking to others about issues that are affecting me, and talking to my parents more.

Table 14. Do you agree or disagree that being a youth court volunteer has made you...

N=142	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Don't know
Better at speaking in public.	44%	35%	15%	4%	1%	1%
Have more respect for the legal process.	42	47	11	1	0	0
Feel more like a part of the community.	39	36	21	4	0	0
More thoughtful about how my actions affect others.	38	49	12	1	0	0
Feel better prepared for my future.	35	44	18	3	0	0
Feel more comfortable talking to others about issues that are affecting me.	27	27	35	10	1	1
More interested in my education.	25	37	31	7	0	0
More confident in my school classes.	20	36	36	7	1	1
Talk with my parents more.	9	25	47	15	2	1

What is the hardest thing about being a Youth Court volunteer?

The most common “hardest thing” cited by youth court volunteers was finding time to participate in the program, with many other demands on their time. The second most common theme was knowing defendants personally: “seeing defendants in school,” “seeing your friends get in trouble,” etc. Interviews for this study indicate that this is an especially difficult issue in smaller communities.

Seven percent of responses cited problems with defendants such as “getting them to show up,” “getting a hold of defendants,” and “uncooperative clients that don’t care.” Another 7 percent of responses had to do with understanding the youth court process and feeling prepared for cases.

Six percent of responses to this question concerned emotional issues, such as “I get frustrated we can’t do more for defendants,” “sometimes the stories are hard to hear,” and “knowing they aren’t going to change their ways.” Five percent of responses noted the difficulty in maintaining a non-judgmental attitude and being fair at all times.

Four percent of responses commented on other volunteers: that they didn’t take it seriously enough, or engaged in illegal activity themselves. Another 4 percent cited nervousness and fears around public speaking; and 4 percent found it difficult to get rides to cases or trials. Two percent found it difficult to maintain confidentiality, and 2 percent said that recruiting other volunteers was the most challenging aspect of youth courts.

Table 15. What is the hardest thing about being a Youth Court volunteer?

N=131	% of Total
Finding time/too busy	37%
Knowing defendants	12
Problems with defendants	7
Understanding/preparation	7
Emotional issues/frustration	6
Being fair/non-judgmental	5
Other volunteers	4
Public speaking	4
Rides	4
Confidentiality	2
Recruitment	2
Nothing	2
Other	8

What do you like most about being a Youth Court volunteer?

When asked what they liked most about being a Youth Court volunteer, more than half of respondents gave responses that had to do with helping others or making a difference in their community. Examples of these comments include, “knowing I helped them see past their mistakes,” “helping people my age get a better way through life,” “being able to positively affect my peers in a big way,” “I like helping people at a difficult time in their lives,” and “The feeling of doing something good for my community.”

Nearly one-quarter of respondents (22 percent) cited learning as their favorite part of Youth Court: learning about the legal process, court systems, and Alaska law, and preparing themselves for future careers.

Seventeen percent of respondents said their favorite part of volunteering was being involved in the program and getting to know other people. Examples of responses include, “It gives me a sense of belonging with my community,” “I like the kids I'm with, and enjoy hanging out with them,” and “meeting other youth court volunteers.”

Eight percent of respondents enjoyed the confidence being in the program gave them, and the leadership skills they gained from it. Additional themes included the challenge of being in the program and handling cases, the courtroom experience, being an attorney or judge, and attending conferences and meetings.

Table 16. What do you like most about being a Youth Court volunteer?

N=137	% of Total
Helping/making a difference	53%
Learning	22
Being involved/people	17
Confidence/leadership	8
Challenge	4
Courtroom experience	4
Being an attorney/judge/etc.	2
Conferences/meetings	2
Other	5

If you could do one thing to make your youth court more effective, what would it be?

There were two common themes among the suggestions from respondents on how to make youth court more effective. Fourteen percent said their program should expand its recruitment and participation; for example, “get more motivated youth involved in classes and participating in youth court,” “allow 6th graders into youth court,” and “it would be nice if the program was better known by my peers and advertised more so more of my peers would join.”

Another common theme was more training, mentoring, and/or oversight. Examples of these suggestions include: “More training in how to really connect with the clients and help them better,” “teach proper writing skills,” and “I would have us do more practice hearings so that we can make a more formal and serious impression on defendants during real hearings.”

Thirteen percent of respondents said their Youth Court was good as is, and didn’t need anything to make it more effective.

Additional suggestions given by respondents included more cases/types of cases, get clients to take it more seriously, more/tougher sentencing, track defendants better, more formal dress, more funding, and more conferences.

Table 17. If you could do one thing to make your youth court more effective, what would it be?

N=107	% of Total
Expand participation/recruiting	14%
More training/mentoring/oversight	14
Good as is	13
More cases/types of cases	8
More/tougher sentencing options	7
Get clients to take it more seriously	5
Tracking defendants	4
More formal dress	3
More funding	3
More conferences/gatherings	3
Other	27

Analysis of Defendant and JOMIS Data

An important component of this *Youth Court Evaluation and Impact Assessment* was the most complete analysis of youth court re-offense statistics undertaken to date in Alaska. Individual youth courts track re-offense rates to greater or lesser extent using their own internal methods, which are not fully consistent from court to court. DJJ periodically also computes re-offense rates based on records of referrals by Juvenile Probation Officers. DJJ does not analyze cases referred from the district courts, school districts, or other sources, however. The analysis below combines records from individual youth courts and DJJ's JOMIS (Juvenile Offender Management Information System) database, which includes district court records, over three fiscal years to examine re-offense rates as comprehensively as current data allows.

Data Limitations

When a defendant is diverted to youth court, data for that offense typically is not entered in JOMIS. If the defendant successfully completes youth court, there is no official record of the original offense. If the defendant reoffends prior to his/her 18th birthday, that offense is recorded in JOMIS, but often with no link to the earlier youth court experience. JPOs sometimes include background information about a prior youth court diversion when establishing a JOMIS record for a later offense. That information is not complete or consistent, however. Finally, if the re-offense occurs after the defendant turns 18, there is no record in JOMIS. Adult crimes are tracked only in the adult criminal database, APSIN (Alaska Public Safety Information Network).

Because data is fragmented in this fashion — youth court records, JOMIS records and APSIN records — computing re-offense rates for youth court participants is a challenge. It is especially so for two other reasons:

1. There is no consistent use of individual identifiers with which to match records across the three data sources.
2. There is no set of commonly defined data fields that is maintained by all youth courts.

Where warranted, the reporting below includes notes about the possible impacts of missing data.

Final Data Set

For this study, data was requested from all 10 active youth courts about all their defendants for the years FY07 through FY09. Because of confidentiality restrictions, only DJJ personnel could analyze the original records, which included personal information. DJJ worked with the youth courts to develop an aggregated data set in which entries from different courts were as comparable and uniform as possible. Using names and other information in the youth court records, DJJ developed an identifier code and laboriously matched each youth court record to any JOMIS records for the same individual. DJJ then removed any personal information from the data. The resulting file, provided to the study team, contained records for 2,418 youth court defendants. (Please see Appendix 1 for a listing of the fields contained in the aggregated youth court file.)

Unfortunately, it was not feasible to match the records to APSIN data as well because there was no uniform individual identifier.

Because of inconsistencies in the youth court data, the number of records analyzed does not precisely match the number of cases actually referred to each court over the three-year period. Tables 4 through 8 show the average annual number of cases reported to DJJ by the youth courts during those years.

Definition of Re-offense Rates

The benchmark for youth court re-offense studies remains the 2002 analysis by the Urban Institute. That study defined a re-offense as a new charge within six months of the referral that led to the original youth court diversion. This definition is not ideal because the process of completing youth court may take anywhere from a few weeks to three or four months. A more informative measure might use the date of exit from youth court, since that is the date at which the youth court process is complete. The date of the original referral remains the most commonly used reference point, however, and it was employed for this analysis.

This study analyzed re-offense rates at six, 12, 18 and 24 months after the initial referral and also at any time thereafter until the defendant “ages out” of the JOMIS records at age 18. Note that the age of the defendant affects the time periods for which data on re-offenses is available in three possible ways:

- First – the maximum defendant age at which a new charge can show up in this data is the day before his/her 18th birthday. Any new charge occurring after the defendant turns 18 is recorded only in the adult database (APSIN) and was not available for this analysis.
- Second – the younger the defendant at the time of the initial offense, the longer the period (until age 18) during which a new charge can show up in the data. A total of ten defendants were under age 12 at the time of their first offense.
- Third – the oldest that defendants can be at the time of first referral and still have a re-offense record in the data 24 months later, is the day before their sixteenth birthday. Since no data is available after the defendant turns 18, the analysis inevitably reflects declining re-offense rates at the longer time periods for youths who “age out” of the database before those time horizons are reached.

Re-offense data in the tables below is accompanied by notations with respect to these three characteristics of the data.

Re-offense Rates

Table 18 shows the percent of youth court defendants who re-offended within various time periods after their first offense and prior to their 18th birthday. Note that the rates are *cumulative*. That is, the re-offense rate for 18 months includes those who reoffended within six months and 12 months. Note also that, as the time frames become longer, the older defendants turn 18 and drop from the records, as explained above. This means the cumulative re-offense rate at longer time periods is actually higher than what is shown. How much higher is not known. A rough guide is the percent of defendants who are initially diverted to youth court prior to their 16th birthdays and who reoffend at some point before they turn 18. This re-offense rate, for the 1,017 defendants who are in the records for at least 24 months beyond their original offense, is 28 percent.

Table 18. Re-offense Rates By Age at Time of Original Youth Court Offense

Age	Total YC Defendants	6-month	12-month	18-month	24-month	By Age 18
9	1	0%	0%	0%	0%	0.1%
10	5	0	0.1	0.1	0.1	0.1
11	4	0	0.0	0.0	0.0	0.0
12	69	0.2	0.5	0.8	0.9	1.3
13	201	0.3	1.3	2.1	2.7	3.7
14	334	0.8	1.7	3.1	3.8	5.2
15	403	0.8	2.5	4.2	5.1	6.0
16	399	1.1	2.7	3.6	3.8	3.9
17	312	0.3	0.7	0.8	0.8	0.8
Total	1,728	3%	9%	15%	17%	21%

Notes:

- 1) Age information was not available for the following Youth Courts: Homer, Juneau, Kenai, and Mat-Su.
- 2) Percentages in *italics* denote time periods for which re-offense data is incomplete because defendants “age out” of the records.
- 2) Re-offenses for defendants age 18 – 19 are not shown because no re-offense data about those age groups is available in JOMIS

Table 19 shows re-offense rates broken down by youth court. These rates differ slightly from those in Table 18 because the age information shown in Table 18 was not available for all defendants. The “age out” issue is also reflected in Table 19, however, as some re-offenses by older defendants are not shown in the data, especially for the longer time periods. Again, this means that re-offense rates, especially for time periods longer than six months, are somewhat understated.

The re-offense rate at six months for Anchorage was 5 percent, very close to the Urban Institute finding of 6 percent in 2002. Differences in methodology make it impossible to say whether the difference is statistically significant. Some other courts had very low re-offense rates at six months, and some, notably North Star, Nome, and Mat-Su, showed significantly lower rates even after more than 24 months. (However, see note regarding Nome and Mat-Su samples under Table 18.)

Table 19. Re-offense Rates by Youth Court (all ages)*

Youth Court	Total YC Defendants	6-month	12-month	18-month	24-month	By Age 18
Anchorage	1,104	5%	12%	17%	20%	24%
Homer	34	0	9	12	12	18
Kenai	333	2	6	8	11	13
Juneau	152	7	13	16	18	19
Ketchikan	148	1	9	16	18	23
Kodiak***	130	1	4	15	18	20
Mat-Su	78**	5	8	8	8	8
Nome	46**	0	4	9	9	9
North Star	344	0	5	6	8	10
Sitka	12	0	0	0	0	0
Wrangell	37	3	3	8	11	14
Total	2,418	3%	9%	13%	16%	19%

* These figures differ from Table 18, above, because they include all defendants for which some data was available, including those for whom age is unknown.

** Some sample sizes, particularly those from Mat-Su and Nome, are smaller than the actual official caseload (see Tables 4 through 8) over the three-year period because DJJ was unable to incorporate some records into the sample due to missing information.

*** Sample size from Kodiak is larger than its three-year caseload because some records from FY06 were also included.

Logistic Modeling

A multiple regression analysis was performed on the combined youth court and JOMIS data to examine what characteristics were most closely associated with reoffending at different time periods after the original youth court referral.

Interpreting the Results

The data analyzed represent the most complete and reliable available. They are far from ideal, however, as there is not yet a format or mechanism for collecting data on youth court defendants that is fully consistent from court to court.

Before reviewing the results, it is important to note the following:

- Logistic modeling is designed to identify associations between variables of interest and observed outcomes. *When a variable is determined to have a significant association, it does not mean that the variable causes the outcome.* It simply means that the outcome is more likely when the variable is present.
- Missing variables can have a big impact on logistic analysis. For example, the data do not include information about family structure, household income or education, school performance, or other factors that may have a significant influence on an individual’s propensity to reoffend.
- This analysis represents combined data from ten youth courts.
 - Anchorage is by far the largest court and represents nearly 40 percent of the records analyzed.
 - Juneau and Kenai/Homer youth courts do not maintain records on defendants’ ages and, for that reason, could not be included in the analysis.³
- Data in the youth court records is incomplete for some of the variables. In particular:
 - Gender is unknown for approximately 20 percent of the records.
 - Race is unknown for approximately 25 percent of the records.
 - Age is unknown for approximately 18 percent of the records.

Logistic Model Findings

Table 20 shows logistic model results for the following variables:

- Gender
- Race
- Youth court location
- Youth court sentence successfully completed (yes/no)
- Type of youth court offense

Variables with a statistically significant marginal effect — i.e., association with re-offending — are printed in red, bold italics. The “marginal effect” may be thought of as the percentage change in the outcome when that variable is true. For example, defendants from the Anchorage youth court reoffended 4.9 percent more often than the average for other youth courts after six months. Similarly, defendants who completed their sentences offended 3.3 percent less after six months than those who did not complete their sentences.

³ Without age data, it is impossible to know whether a given defendant had the opportunity to reoffend prior to turning 18 and being eliminated from the JOMIS data. Records without age data were therefore not used.

The study team stresses again for the reader that the marginal effects shown in the table are only valid with respect to the other variables tested. Marginal effects undoubtedly would be different if one could include in the equations data about school performance, family situation, economic status, and other factors known to be relevant to criminal behavior.

We also stress that this type of analysis is designed to identify *associations* between different variables and the outcome of interest, in this case re-offending. A statistically significant association *does not mean that the variable causes the outcome, however*. For example, the fact that defendants who complete their youth court sentences are less likely to reoffend (paragraph #1 below), does not necessarily mean that, if more defendants completed their sentences, re-offense rates would decline. It is possible that defendants who complete their sentences were already less inclined to reoffend for other reasons.

The factors discussed below show a statistically significant level of association with re-offending. Of the variables examined, none were strongly associated with reoffending during the first six to 12 months after youth court referral. The association for some variables is stronger over time, however.

1. **One of the most reliable indicators of whether a youth court defendant will reoffend is whether he or she successfully completed the youth court process.** Overall, 77 percent of defendants in the database successfully completed their sentences.⁴ Based on the variables examined, defendants who complete their sentences are 3.3 percent less likely to be among those who reoffend at six months, 9.7 percent less likely at 12 months, 14.6 percent at 18 months, and 17.6 percent at 24 months.
2. **Alcohol appears to be a significant factor in longer-term re-offending.** The fact that the initial youth court offense was either an MCA or an MIP is not statistically significant at six months or 12 months. However, at 18 months and 24 months, individuals whose initial offense was alcohol-related reoffended at rates that are, respectively, 14.6 percent and 31.3 percent higher than those whose initial offense did not involve alcohol.
3. **Males are somewhat more likely to reoffend than females.** Males offended at the same rate as females during the first six months, but reoffended approximately 4 percent more often after 12 months, and 13 percent more often after 24 months.
4. **Defendants from Anchorage were slightly more likely to reoffend within six months.** This finding seems most likely to reflect differences in the overall characteristics of the defendants and the types of crimes handled by the Anchorage youth court. (See also Table 20, below).
5. **Based on the available data, race is not a factor in the likelihood that a youth court defendant will reoffend.** For example, the fact that a youth court defendant is Alaska Native has no statistically significant association with whether that defendant reoffended at any of the time periods analyzed.

⁴ The official completion rate for FY07 through FY09, based on DJJ records, is 79 percent.

Table 20. Logistic Model Results – Re-offense Rates
(statistically significant results in **bold italics, red**)

Variable	Coefficient	St. Error	P-Value	Marginal Effect
6-Months				
Alaska Native	-0.460	0.486	0.344	-0.009
Male	0.327	0.290	0.259	0.007
Anchorage	2.560	1.015	0.012	0.049
Ketchikan	0.603	1.422	0.671	0.017
Kodiak	1.173	1.423	0.410	0.043
Completed YC Sentence	-1.075	0.288	0.000	-0.033
Constant	-4.839	1.041	0.000	-0.107
12-Months				
Alaska Native	0.089	0.247	0.721	0.008
Male	0.480	0.183	0.009	0.039
Anchorage	1.555	1.025	0.129	0.112
Ketchikan	1.180	1.065	0.268	0.145
Kodiak	0.531	1.136	0.640	0.053
North Star	0.629	1.060	0.553	0.062
Completed YC Sentence	-0.942	0.186	0.000	-0.097
Constant	-3.094	1.045	0.003	-0.256
18-Months				
Alaska Native	-0.121	0.247	0.625	-0.015
Male	0.748	0.180	0.000	0.096
Anchorage	0.893	0.763	0.242	0.103
Ketchikan	0.950	0.807	0.239	0.160
Kodiak	1.332	0.814	0.102	0.244
North Star	-0.833	0.887	0.347	-0.087
Completed YC Sentence	-0.938	0.192	0.000	-0.146
Alcohol	1.515	0.689	0.028	0.290
Constant	-2.117	0.789	0.007	-0.276
24-Months				
Alaska Native	0.061	0.222	0.783	0.010
Male	0.829	0.168	0.000	0.128
Anchorage	0.743	0.640	0.246	0.106
Ketchikan	0.761	0.687	0.268	0.142
Kodiak	1.210	0.693	0.081	0.245
North Star	-0.722	0.736	0.326	-0.095
Completed YC Sentence	-0.971	0.181	0.000	-0.176
Alcohol	1.480	0.567	0.009	0.313
Constant	-1.770	0.668	0.008	-0.277

Though not included in Table 20, and presumably not a causal factor, defendants who received sentences with more CWS hours are more likely to be among the re-offenders. This likely means that future re-offenders tend to receive tougher sentences in youth court because their initial crimes are more serious or because there are aggravating circumstances that cause the youth judges to impose longer CWS sentences. Nevertheless, it may be useful to note that longer CWS sentences, along with gender, alcohol and other factors that can be tracked by youth courts, can all help to identify defendants who are more likely to reoffend in the future. While this information must be used with great care, it may help to allocate specific resources, for example counseling and other follow-up, to individuals who need them most.

Youth Court Operations

Role of Youth Volunteers

It is typically a high priority in Alaska youth courts for the youth volunteers to exercise maximum responsibility and control over the process and outcomes of the courts. Many adults involved in the youth courts feel this autonomy is key to the courts' effectiveness. In Alaska, adult court monitors typically involve themselves in the process only if they see a specific, significant problem developing. This is not always the case in youth courts elsewhere in the country. Another example is the youth court that has resisted partnering with the local school district because the youth volunteers feel the district's rules and approach to discipline are inconsistent with some important tenets of their youth court.

There is a tension between the youth court culture and the school culture in some locations that inhibits the two institutions from working together. The tension seems to reflect two key elements. One is at least a perception that schools take a punitive/enforcement view of infractions by students. Youth courts, on the other hand, typically stress restorative justice and personal growth on the part of the offender. A second tension is that school rules and regulations tend to be developed and enforced mainly or entirely by adults. Some volunteers have expressed mistrust of what they perceive as overly top-down codes of conduct.

Referral Process

Although JPOs and judges both say they have clear guidelines about what cases to refer, some additional structure may be warranted to reduce uncertainty and maximize efficiency around the referral process. The referral process requires delicate balance. It determines the caseload for youth courts and therefore the workload for youth court staff and volunteers. Where youth court directors have been in place long enough to develop strong relationships with referrers, there seem to be few problems. But it is not, and will not always be, the case that youth court directors are experienced and/or well known in their communities.

Some youth courts, for example Ketchikan, have a memorandum of understanding with the local court that specifies the types of cases that will be referred. There is no established mechanism or procedure for a youth court to follow, however, if a youth court, for whatever reason, does not receive as many referrals as it would like. Also, there are youth courts operating at or near capacity that recognize a need to try to manage, or at least influence, the referral process to prevent overload. There may be ways to clarify how the volume of referrals is determined and the conditions under which a youth court might qualify to receive more or fewer referrals.

Potential changes in youth court funding may also suggest a revisiting of the referral process. Specifically, if future youth court funding comes (as it potentially might) via both DJJ, in the form of grants, and via district court fines, by some unidentified process, what, if any impact might that have on the types and quantity of referrals from each source? Is it desirable or practical to link some portion of youth court funding to referral counts or some other measure of productivity? At this time, not enough is known about new funding mechanisms, or youth court productivity, to answer these questions.

Youth Court Staffing

For the most part, Alaska youth courts operate with a bare minimum of administrative capacity. The total paid staff for all ten active Alaska youth courts combined amounts to only about 12 full time equivalent positions (FTEs). Six of the ten have less than one full-time, paid staff. It is extraordinary that such thinly staffed organizations are able to recruit, train and organize a broad network of youth and adult volunteers, deal with typically emotional and often complex offender and family situations, and act within demanding legal guidelines and requirements.

Youth courts rely heavily, many exclusively, on volunteers for access to legal expertise. Based on available data, it is not possible to say whether courts with paid staff who have substantial legal experience have an advantage in the quality and quantity of service they can provide. Interviews and logic suggest this may be the case. However, few, if any, youth courts are able to pay competitive rates for legal expertise.

Record Systems for Evaluation and Program Planning

Not surprisingly, given the staffing constraints above, the data available from Alaska youth courts is variable. Some courts have fairly complete records that are easy to maintain and retrieve. Others have inconsistent records that are difficult to use for evaluation purposes. All courts have developed ways to meet DJJ reporting requirements. Not all courts follow the same definitions for all reporting statistics, however. For example, different youth courts have different procedures for processing new defendants and therefore define “referral” and “intake” somewhat differently. By the same measure, youth courts appear to have different definitions of “clients served” and “clients rejected.” These inconsistencies are a barrier to accurate aggregated statistics.

All courts should be able to generate comparable statistics in key program performance areas and to do so easily and often so that those statistics can inform operations and funders. Youth courts have become an integral part of the juvenile justice system in Alaska. They warrant a more systemic, coordinated approach to data collection. This does not mean that every court must use the same data software. Courts have different needs and capabilities with respect to information management.

Designing a record-keeping system for evaluation and program planning, as opposed to required reporting, means striking a balance between desirable data and the cost in money and time to collect that data. Whatever data systems are adopted, they should include the following in order to enable individual youth court records to be linked and analyzed with other criminal justice records, specifically JOMIS and Alaska Public Safety Information Network (APSIN) records:

- A unique defendant identifier that can link youth court, JOMIS and APSIN records – This is critical to enable longitudinal analysis of youth court outcomes.
- An identifier code for each youth court.
- Defendant birth dates – To allow accurate analysis of defendants by age.
- Date of youth court intake – for some courts this will be the referral date. For courts that conduct assessments before accepting new defendants, it may be different from the referral date.
- Referral source – District court, DJJ, school district, police department, or other.
- Type of charge (preferably including a simple way to classify the seriousness of the offense).
- Youth court hearing date.
- Description of the sentence using a standardized classification system for the main elements common to most sentences.
- Number of CWS hours sentenced and completed.
- Restitution dollars ordered and paid.
- Whether the defendant successfully completed the youth court process, including whether he/she was referred back to the court or DJJ. Ideally, this would include a yes/no field for each of the typical elements of a sentence (CWS, essay, etc.)
- Youth court exit date.

Other data fields for consideration:

- Ethnicity of defendants and youth volunteers – mostly relevant to federal, needs-based program funding, but potentially to strategic planning.
- Victim information – Few cases involve individual victims, and involvement by victims in the hearing process is rare.
- Statute citation for the defendant’s original offense (or the most serious offense if multiple offenses) – It seems unlikely that most courts or outside evaluators will analyze records at this level of detail. However, statute citation is the most precise way to identify an offense.

One youth court director suggested that youth courts also track whether or not defendants were living in foster homes, arguing that home structure has critical implications for how cases are handled and sentences determined.

A key shortcoming of the statistical reporting youth courts currently make to DJJ is that there is no periodic reconciliation of program intakes and exits in order to identify, among intakes in a given year, which defendants:

- Completed their sentences during that year,
- Were re-referred because of failure to fulfill sentencing requirements or dropped from the youth court for some other reason,
- Were carried over to the following period to continue with the program.

These three figures should add to the total intakes for any given year. Total annual intakes added to the number of carryovers from the prior period, should equal the total number of defendants served for the period.

Establish a standardized set of questionnaires for youth volunteers, defendants, and defendants' families to record their youth court experiences and help assess impacts. All youth courts obtain some feedback from participants, but the extent of the effort and the methods employed vary widely, as do the ways in which the resulting data is used. Because many important youth court impacts are qualitative, survey data is critical to documenting effectiveness. Further, in order that data from all sites may be compared and aggregated, it is important that all include common sets of questions. The Anchorage youth court has recently developed such questionnaires. With some refinement, all courts could use a version of the Anchorage models. Additional questions may be added as needed to address purely local issues.

Perceptions of Youth Courts

Virtually all youth court directors reported that the courts are highly regarded by those in the community who know and understand them, but that most people know little about youth courts. Several directors said they would like to do more outreach, especially to attract youth volunteers.

Youth Courts in Small or Rural Communities

Alaska youth courts began in the state's largest city, Anchorage, and have taken root in many of the other larger communities. During the past 20 years, attempts to start or maintain youth courts in smaller and more remote communities have met with mixed success. Efforts to establish youth courts or community panels in Delta Junction, Emmonak, King Cove, St. Michael, Dillingham and Bethel either have been suspended or have not yet achieved full operations. Youth courts in Valdez, Sitka, and Wrangell have worked to remain functional in the face of limited caseloads and staff turnover. The Valdez court had to suspend operations when it lost its executive director in 2009.

Interviews with executive directors and others in smaller, more remote communities that either have youth courts or have struggled to start one suggest the main obstacles are fundamental: difficulty staffing, not enough cases, and/or not enough volunteers. In practice, a shortage of one may lead to a shortage of the others. A youth court must have trained, motivated volunteers to handle cases, and it must have a stream of cases in order to train and engage its volunteers.

Nevertheless many in Bethel, for example, see potential for a youth court with the flexibility to address offenses in a more personal and caring way than the state courts while retaining much of the authority and enforcement capacity of a state institution. Youth justice in Bethel unfolds at the intersection of three cultures: the "majority" culture represented by State of Alaska through the district court and DJJ, the Yup'ik culture represented by the Orutsarmiut Native Council (ONC) through the tribal court, and the youth culture, represented by no official body but nevertheless a major influence on potential offenders and court volunteers alike.

The tribal court in Bethel has found it challenging to deal with youth offenses. In part, according to a court administrator, this is because traditional Yup'ik values have not fully transplanted to local youth, and in part it is because the tribal court has no official enforcement capacity.⁵ Bethel supporters say a youth court would be able to leverage all three cultures: majority, Yup'ik and youth.

The movement to start a youth court in Bethel began approximately 12 years ago and has intensified in the past two years. During that time there has been a youth court director, but only on a part-time basis, with a stipend last year of \$10,000. Interviews with individuals involved in the most recent efforts indicate that a key hurdle is keeping youth engaged. One contact estimated, "We might get 15 students at the beginning of the school year, but over the course of the six training classes (one a week), the numbers decline to one or two." Currently, Bethel has one youth who has passed the court exam.

Those promoting the program are trying to develop a more reliable base of youth volunteers by working with the school district to offer court training as part of a full-credit class. Some other youth courts have tried arranging for community service hours — by volunteers and defendants — to count toward the local high school service requirement. Some also offer partial credit for youth court training, but none has yet incorporated youth court training into a full-credit class that is required for graduation. Bethel supporters are currently designing a curriculum and hope to start pilot projects in January 2011, possibly in Kwethluk and Kwigillingok. The intention is to begin by handling only school infractions and then to experiment with DJJ cases by videoconferencing. If it becomes operational, this Bethel youth court model will be the most intertwined with the local school system of any in Alaska.

Other than class credit, what makes youth want to volunteer for youth court? The online survey for this study suggests that youth volunteers have many personal and altruistic reasons for participating in youth court. However, one executive director noted that status also plays a role and that volunteering seems to run in families. She said several families in her community have multiple siblings volunteering for youth court. Especially in smaller communities, however, status can cut two ways. Youths may feel more pressure to conform in small towns, and it can be especially difficult for judges to sit in the same classrooms as the defendants they sentence. Larger communities offer a bit more anonymity.

Another factor that may come into play, though there is no research to support the idea, is that "youth court judge" looks good on a college application. If true, that consideration would be stronger in communities where a larger proportion of students plan to apply to competitive colleges.

In contrast to Bethel, Wrangell is a fully functioning youth court. Wrangell sometimes wrestles with the other major rural/small-court challenge, according to its director, namely keeping its volunteers busy. The youth court has 11 volunteers, all of whom started in 7th grade. They typically give two to three hours per week of their time. With a local caseload of roughly one per month, however, the Wrangell court has considered the possibility of bringing in cases from other communities to keep volunteers engaged. Another challenge is the fact that there are no local judges or attorneys in Wrangell to provide workshops.

⁵ Since Bethel has an official police department, the community is not eligible for funding to establish tribal police.

That rural communities face special challenges is a surprise to no one, and no two Alaska communities are the same. Culture, geography, and economics vary widely around the state. This study's brief look at the unique circumstances of rural programs suggests those programs may require extra planning and resources to establish and possibly to sustain.

Youth Court Impacts and Effectiveness

Alaska Youth Courts and Re-offense Rates

Judging youth courts by the degree to which they reduce re-offense rates is like judging community swimming pools by the degree to which they reduce drowning. Community pools offer programs that teach people to swim, and that reduces drowning to be sure. The impact on people's lives of community pools, and of simply learning to swim, is clearly much greater than what can be observed in drowning statistics however. Information gathered for this study from youth court participants at all levels indicates strongly that youth courts have complex and far-reaching impacts. Anecdotal evidence that multiple youth court volunteers often come from the same family hints at these effects, as do the less common, but not rare, instances of offenders subsequently training and volunteering as youth court judges.

Indeed, qualitative evidence strongly suggests that, even if re-offense rates (and operating costs) for youth courts were not as low or lower than for regular courts, the additional educational, personal, and community benefits derived from youth courts would more than justify their ongoing operation.

Based on analysis for this study, the re-offense rate at six months for the ten active Alaska youth courts as a whole over the period FY07 through FY09 was 3 percent. This compares favorably to the rate of 6 percent calculated by the Urban Institute for the Anchorage youth court in 2002. Rates at six months for individual youth courts ranged from 0 percent to 7 percent. By 12 months after the date of initial youth court referral, the overall re-offense rate rises to 9 percent. Unfortunately, it was not feasible within the scope of this study to compare youth court re-offense rates to a control group of offenders who do not experience youth court.

The best opportunity for a control group comparison appears to be pairing defendants from each youth court with defendants with similar offenses in a similar community that has no youth court. Because of confidentiality requirements, selection of those comparison groups would need to be done by DJJ staff.

The perception of most youth court directors and some JPOs and judges is that neither DJJ nor the district courts have the time and resources to do much follow-up with offenders who fail to complete youth court and are referred back to the traditional justice system. Some offenders who fail to complete have only a single meeting with a JPO or judge. Some have no face-to-face contact and only receive a letter. As a result, youth court directors often take every opportunity to keep offenders in the youth court system, including extensions of time to complete sentencing.

Some youth court directors say they can predict whether an offender will complete a sentence by observing interactions between the offender and his/her parents. Others say there is no obvious correlation between parent involvement and sentence completion.

Many, including several of the judges interviewed for this study, ascribe youth court effectiveness primarily to peer justice. Others, however, suggest that just as important may be the simple fact that youth court makes it clear to defendants that people are paying attention. That is, by drawing on volunteers and a specialized approach tailored to certain kinds of offenses, youth courts can invest more time and energy more efficiently in each defendant than the traditional justice system. This seems especially true in larger communities where the caseload of the traditional system tends to be most demanding.

Youth Court Sentences

Most or all youth courts have detailed sentencing guidelines that, if followed, should minimize unwarranted variation in sentence severity. These tend to be based on a common source, namely the Anchorage program. Whether all courts actually follow written guidelines is not certain based on available information.

Many of those interviewed believe the quality of the hearing is more important than the sentence. In particular, the composure, authority, fairness and speaking ability of the volunteer judges is seen as key. To help ensure high quality hearings, one youth court uses a database designed by student volunteers that prints key elements of the judge's closing speech based on particulars of the case. The database also produces a list of what judges need to bring to court and generates statistics for DJJ reporting.

Youth courts are most effective, according to interviews, when the process of holding a hearing and imposing a sentence happens quickly. This means it is important for JPOs to act promptly when a case presents itself. Offenders are in limbo until intake initiates the process. This can also be true of victims, some of whom have no contact with the justice system between the time of the arrest and the time the youth court takes over the case, according to youth court staff.

Many youth court directors, youth volunteers, and board members believe that the quality of the CWS experience is more important than its length. "Ten hours is enough to make the point, if it's well designed," according to one director. Statistically, longer sentences do not seem to improve re-offense outcomes based on analysis for this study. Youth judges, however, have tended to impose what some adults see as overly long sentences, and there has been an effort recently to impose more moderate sentencing guidelines. In addition to averting possible resentment on the part of the offender, arguments in favor of moderate sentences are that they improve the chances the defendant will succeed/complete youth court, reduce the burden on parents who must provide transportation (and often encouragement) during CWS, and shorten the time during which the youth court staff must monitor, and perhaps encourage, the offender.

Youth Courts and Alcohol Offenses

It is important for youth courts to define an appropriate role for themselves when dealing with alcohol-related offenses. The re-offense analysis for this study identified a significant association between

alcohol offenses and higher rates of reoffending. However, this does not suggest to the study team that youth courts should necessarily do more to try to solve the problem of alcohol abuse.

In a monograph sponsored by U.S. Department of Justice and published by the National Youth Court Center in 2004, *Underage Drinking and other Substance Abuse: Opportunities for Prevention and intervention by Youth Courts*, Tracy Godwin Mullins urges youth courts to get more involved in issues related to teen drinking. She offers youth courts six intake and screening recommendations and 15 sentencing and contracting recommendations for addressing alcohol-related cases. The latter include things like “research and develop services and sentencing options based on effective program models for prevention,” “get the youth court involved in community coalitions designed to combat under-age drinking,” and “provide opportunities for alcohol and other drug-free activities.”

The study team is more inclined toward the view of an Alaska youth court director who pointed out that youth courts are a justice model, not a medical or social service model. First, youth courts that blur those lines risk acting outside their areas of competence. Second, Mullin’s suggestions seem impractical for youth court organizations and staff whose work is already extremely demanding. Third, even the best alcohol prevention and treatment programs fail much of the time. Those inevitable failures have the potential to tax the energy of staff and, more importantly, undermine the confidence, idealism, and dedication of youth volunteers. Fourth, as the same director noted, the primary responsibility of youth courts is to define their responses to alcohol offenses in ways that are age-appropriate and appropriate to the circumstances of the offense. For example, avoid mixing younger and older teens in the same alcohol awareness class, and avoid treating defendants who arrive in youth court simply through a combination of bad judgment and bad luck as if they are habitual drinkers.

Based on a review of youth court literature and recalling the definition of youth courts by the National Youth Court Center — programs in which youth are sentenced by their peers for minor delinquent and problem behavior — the study team believes the key roles for youth courts with respect to alcohol offenses should be defined by fairly conservative boundaries, namely:

- Do everything possible to differentiate between cases of experimental drinking and cases of habitual drinking and focus efforts where youth courts are best equipped to have an impact, namely on the former.
- Identify and establish relationships with the best possible referral options for defendants suspected of more serious drinking problems.

Youth Court Effectiveness

Evidence collected for this study suggests the following principles are important determinants of how effectively youth courts work with defendants:

- A focus on peer and restorative justice
- Following up with the defendant, both before and after sentencing
- The quality of the courtroom experience, especially the professionalism of the youth volunteers
- Cultural sensitivity
- High quality intake assessment – As one judge put it, “Some will respond better to youth court and some the reverse.”
- Dealing with each case and each defendant as an individual; paying attention to the context of the offense

The following contribute to an effective experience for youth volunteers:

- Thorough training
- Access to knowledgeable advisors
- Flexible schedule demands
- A sense of autonomy
- Involving volunteers early in ways that keep them from becoming bored or disconnected, for example during the required courtroom training.

Youth court directors that use or are familiar with formal mediation say it can add a valuable dimension to the youth court process. Conducting mediation would require additional training, resources, and for some courts, space. Mediation may be relevant to a goal of reducing re-offenses, but is outside the scope of youth court activities if the goal is simply to conduct hearings efficiently and effectively. That is, to recognize a need for mediation is also to recognize that youth courts, per se, can’t address every need of every defendant.

Although research has shown that, in general, recipients place higher value on nonprofit services if they pay a part of the cost, most Alaska youth courts do not charge fees. Anchorage, Kodiak, Mat-Su and Wrangell charge fees or fines of \$25 to \$100. Some directors and judges noted that fees, combined with the cost of classes and, if relevant, restitution, may constitute a barrier that prevents some defendants and families from agreeing to diversion. The Kenai Peninsula Youth Court does not charge fees, in part because of the administrative demands of billing and collection on a single-person staff. It is not known what the full effects would be of charging fees to all or most defendants. All Alaska youth courts are resource-constrained, but it is not clear whether charging affordable fees would bring in enough revenue to offset billing and collection costs.

Appendix 1: Database Fields

Fields in the Combined Youth Court and JOMIS Data Set

Field Name	Field Description
Arrest_Date	Date of arrest for charge leading to Youth Court (YC) Referral
Charge_Type	Charge leading to YC referral
CWS_hours	Number of CWS hours ordered to be completed by the YC
DJJ_Office	Juvenile Justice office assigned to handle the re-offense
Gender	Gender of the juvenile referred to YC
Hearing_Date	Date of YC hearing
Juvenile_ID	Unique identifier for each instance of YC, based on juvenile and YC referral; can be used to match with re-offense data
Plea	Plea entered in YC
Race	Race of juvenile referred to YC
Referral_Age	Age of juvenile when referred to YC
Referral_Date	Date juvenile is referred to YC
Reoffense_charge	Charge levied against juvenile on Re-referral
ReReferral_Charge_ID	Unique identifier for each charge on a re-referral; will not change, even if the charge is amended (see: Charge Status)
ReReferral_Date	Date juvenile is referred to DJJ
ReReferral_ID	Unique identifier for each referral to DJJ; can include multiple charges
Restitution_Ordered	Amount of restitution ordered to be paid by the YC
Restitution_Paid	Amount of restitution paid by the juvenile
Sentence	Sentence imposed by YC
Source	Agency that referred juvenile to YC
Victim_contacted	Whether YC was able to contact victim of juvenile's offense
Victim_present_at_hearing	Whether victim of offense was present at YC hearing
YC_Location	Location of YC
YC_Complete	Whether juvenile completed YC process
YC_Exit_Date	Date of YC file closure
YC_Referral_FY	Fiscal Year for which the YC reported each case

Appendix 2: Statistical Tests for Factors Associated with Re-offending

Fisher's Least Significance Difference (FLSD) Tests: 24-Month Re-offense Rates
[Significant Differences Only]

Youth Court		Mean Diff (I-J)	Std. Error	Sig.	95% Confidence Interval	
I	J				Lower Bound	Upper Bound
Anchorage (1)	KENAI (4)	.09055*	0.02	0.00	0.05	0.13
	MAT-SU (7)	.11873*	0.04	0.01	0.04	0.20
	NOME (8)	.10870*	0.05	0.05	0.00	0.21
	NORTH STAR (9)	.11426*	0.02	0.00	0.07	0.16
Juneau (3)	KENAI (4)	.07911*	0.04	0.03	0.01	0.15
	MAT-SU (7)	.10729*	0.05	0.03	0.01	0.21
	NORTH STAR (9)	.10282*	0.04	0.00	0.03	0.17
Kenai (4)	ANCHORAGE (1)	-.09055*	0.02	0.00	-0.13	-0.05
	JUNEAU (3)	-.07911*	0.04	0.03	-0.15	-0.01
	KETCHIKAN (5)	-.07733*	0.04	0.03	-0.15	-0.01
Ketchikan (5)	KENAI (4)	.07733*	0.04	0.03	0.01	0.15
	MAT-SU (7)	.10551*	0.05	0.04	0.01	0.20
	NORTH STAR (9)	.10104*	0.04	0.00	0.03	0.17
Kodiak (6)	NORTH STAR (9)	.09553*	0.04	0.01	0.02	0.17
Mat-Su (7)	ANCHORAGE (1)	-.11873*	0.04	0.01	-0.20	-0.04
	JUNEAU (3)	-.10729*	0.05	0.03	-0.21	-0.01
	KETCHIKAN (5)	-.10551*	0.05	0.04	-0.20	-0.01
Nome (8)	ANCHORAGE (1)	-.10870*	0.05	0.05	-0.21	0.00
North Star (9)	ANCHORAGE (1)	-.11426*	0.02	0.00	-0.16	-0.07
	JUNEAU (3)	-.10282*	0.04	0.00	-0.17	-0.03
	KETCHIKAN (5)	-.10104*	0.04	0.00	-0.17	-0.03
	KODIAK (6)	-.09553*	0.04	0.01	-0.17	-0.02

Note: the absolute value of the difference between I and J is equal to the difference between J and I