

## Made in America: The Global Youth Justice Movement

*Scott Bernard Peterson*

With more than 1,200 local Youth and Teen Court programs in America—Europe, Australia, Asia, and Canada are now implementing this model to harness the positive peer influence of youth volunteers to reduce juvenile crime.

**K**aren, 13, and her brother David, 17, were arrested for stealing two music CDs from the local music store. They admitted their guilt to the arresting police officer, who then presented them with a choice. Did they want to proceed in the youth court program and be sentenced by a jury of their peers—including some youth who were previously sentenced by their peers? Or did they want to proceed in the traditional juvenile justice system where they would appear in juvenile court with their punishment determined solely by an adult judge?

In the case of siblings “Karen” and “David,” the guilty teens received sentences of 35 hours of community service, were required to write letters of apology to the music store owner, and had to serve as jurors at the completion of their peer-imposed community service sentence. Once they completed their sentence, they were no longer involved in the justice system, unless, that is, they chose to serve their community by becoming youth court volunteers themselves.

### ***The Global Youth Court Movement***

For an increasing and record number of communities in America and now in other countries, youth courts are providing a positive alternative to the juvenile justice system with significant and unexpected favorable outcomes. Youth court is most commonly identified as a juvenile justice program, given that the vast majority of youth cases referred are from police, probation, juvenile and family court, and even many of the school referrals for crimes and offenses. Youth courts in America are also called teen courts, peer courts, student courts, and youth peer courts. The first European youth court, called “peer panel,” was launched in Preston, England, in September of 2007. Australia is currently planning the launch of the first youth court, calling it “youth peer panel,” and Japan uses the name “teen court.” Regardless of the name, these peer justice and youth empowerment programs have much in common.

Since 1994, the number of local youth court programs has grown from approximately 78 local programs to more than 1,200 local youth court programs in America, with more than 100 in various developmental stages. Forty-nine states and the District of Columbia all have Youth Court programs, with Connecticut being the only state without such a program. This rapid growth in the number of local youth court programs is a textbook example of a local grass-roots movement. With the exception of a few states, the vast majority of this

growth has been on the local level. Adult leaders are largely responsible for implementing and operating this increasingly popular juvenile justice program that engages volunteer youth in the sentencing of their peers. Data collection and empirically logical research are only further fueling the youth court movement as researchers are finding that youth courts not only reduce recidivism, but also foster a healthy attitude toward rules and authority among youthful offenders.

Youth courts give communities an opportunity to provide immediate consequences for first-time youthful offenders. What is more, youth courts provide a peer-operated sentencing mechanism that constructively allows young people to take responsibility, be held accountable, and make restitution for committing a crime (violation of the rule of law and/or violation of the school code of conduct). Peer pressure, which can be a risk factor for delinquency, is harnessed in youth courts to exert a powerful, positive influence over adolescent behavior (Peterson & Beres, 2008). Youth who were referred to the Teen Court at the Northern Illinois Council on Alcohol and Substance Abuse for a wide range of crimes and offenses and who completed their peer-imposed sentences have much to say about their experiences, including: "I will now step back and think about a situation before reacting;" "I have learned to think of others and how I would like to be treated as a person and vice-versa;" and even "I will reach out for help next time and talk to an adult."

Not all youth involved with youth court are there because of anti-social, delinquent, and/or criminal behavior. In addition to providing constructive consequences for juvenile offenders, youth courts also offer a civic opportunity for other youth in the community. Youth volunteers actively participate in the community decision-making process for dealing with juvenile delinquency as they gain hands-on knowledge of the juvenile and criminal justice system. They acquire invaluable experience learning about the careers of police officers, probation officers, judges, social workers, court management and administrators, and even youth court directors and coordinators. While there are about a half dozen models of local youth courts, most operate as sentencing programs rather than allow the youth to plead not guilty. Youth volunteers can serve in a wide range of roles including prosecutor, defender, clerk/bailiff, jury foreperson, and even the judge in some models (Pearson, 2003). Most of the adults who are responsible for setting up these programs and their overall daily operation and oversight tend to agree that a youth who pleads not guilty needs

to see an adult judge or be referred to juvenile probation. It is important to note the youth volunteers operate within guidelines and roles approved by adults who are involved at a minimum in an oversight capacity. Adults make every effort to empower the youth and not be overbearing.

A newly released report from George Washington University concluded that a record 129,540 juvenile cases were referred to local youth court programs across America in just a one-year period. The report also noted that 116,144 cases were accepted by local youth court programs and an impressive 111,868 cases proceeded in youth court with 97,578 completing their peer imposed sentence. These numbers represent an 88% completion rate for youth who proceed in Youth Court. Probation departments typically report only 70% to 75% of youthful offenders mandated to community service successfully complete this sanction. Approximately 15% more youth who proceed in youth court per 100 youth referred complete the program than those referred to community service by probation. This is 15 fewer youth per 100 that need to be referred back to juvenile probation or juvenile court (Peterson, Dageleman, & Pereira, 2007). This frees up more time for probation officers and judges to allocate time for more serious cases that need their expert attention. Many probation and juvenile courts operate youth court programs and staff report very satisfactory results beyond the usually more transparent outcomes such as completion rates which are easier to track than recidivism.

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In most communities, youth courts operate as a joint venture among several agencies and organizations including schools, police, probation, juvenile and family courts, and not-for-profit organizations. There does not seem to be one particular organization or agency that is better situated to run a youth court. The youth court program and those involved benefit from collaboration and cooperation among all the agencies to help provide resources such as training for youth, use of courtrooms, completing and coordinating community service, and a wide range of other resources including financial, human, and in-kind. Law enforcement agencies are among the strongest advocates leading the charge to implement more local youth

court programs. One Chief of Police from the Antioch Police Department notes, “I believe that their first minor juvenile crime should teach them about accountability without damaging their self-esteem.” Another Chief of Police from Lindenhurst notes, “Youth Court is both tougher on the kid who makes a mistake and, simultaneously, healthier for that kid and society.” Still another Chief of Police from Grayslake says, “Teen Court is a great way to keep first-time young offenders out of the formal court system, and an equally great opportunity for high school students to volunteer and serve their community as jurors on cases of their peers.”

that were literally unknown to most of America just a decade ago (Pericak, Peterson, & Lockart, 1996).

Highlighting the importance of volunteering at an early age, a report by the Independent Sector and Youth Service America revealed that two-thirds of all adult volunteers began volunteering their time when they were young. The study also showed that volunteering among high school students recently reached the highest levels in the past 50 years. Youth court is now a leading national example of a program that engages several hundred thousand youth volunteers and youthful offenders each year in both volunteer service and mandated community service in communities across America.

Service can take on several meanings including public service, community service, and elected service. Beyond its value to the community, service in programs like youth court can help provide young people with the knowledge, skills, and attitudes they need to assume the most important role they have in society—that of a citizen. In youth court, volunteer youth impose mandated community service hours to their peers for committing minor crimes and offenses. As a result, these youth assigned to mandated service may experience service to their commu-

nity for the first time. Youth court programs and the staff and volunteers involved are widely known to make their service as meaningful as if it were volunteer service. An increasing number of youth courts undertake service projects that include both the youth who are volunteering and those mandated, and it is difficult to tell the difference (Peterson & Colydas, 2001).

The service that volunteers provide in youth court is absolutely critical to the operation of local youth court programs. It is also one of the reasons youth court is among the least expensive juvenile justice and community youth programs in existence in the United States. The national data collection survey recently released by George Washington University calculated the average cost of operating a local youth court program at \$55,000 per year. These costs vary when considering such factors as numbers of cases, adult and youth volunteer roles, and



### ***Volunteering Time to Reduce Crime***

The number of youth volunteering in the more than 1,200 local youth courts across America is staggering. In a one-year period a minimum of 117,310 youth typically ages 12–19 volunteered in a local youth court program. The 2008 national data collection report on youth court also revealed that 16,522 adults volunteered alongside the record-breaking number of youth who now volunteer in local youth courts. This is a combined 133,832 adults and youth volunteering for local youth court programs in the United States in a one-year period. America’s youth are responding to the call of service for this unique juvenile justice program that engages and empowers youth to assist their peers who have committed minor crimes and offenses. Support among adults who establish these local programs only appears to be increasing, given that the most recent year also posted record numbers of adults involved in these local community-based juvenile justice programs

other support and wraparound services. Without strong youth involvement these programs would not exist. Through meaningful service, the young person gains insight about the value of service which is reinforced throughout their involvement in the youth court program.

Most youth involved in youth court programs are in their adolescent years—a very formative time in their lives. At this critical point in their social development, youth need and are looking for a way to make the world a better place. Many adults involved in local youth court programs see their involvement as making a difference in the lives of both the youth volunteers and youth offenders who proceed in youth court. Most youth volunteers see their involvement as positively impacting their peers who have violated the rule of law and could face more juvenile and likely adult crime if they do not adhere to the rule of law. Most youth courts strive to have the youthful offenders experience making a difference in their own lives by sitting in judgment of their peers and giving back to their community through constructive mandated community service projects that are much more than a “make work” project (Pericak, Peterson, & Lockart, 1996). Maybe in the end the greatest benefit of youth court is improving the quality of life for one, more, or all involved.

Youth court should not be a negative experience for any of the youth involved. It is generally agreed if youth or adults are treated as criminals, they are going to act like it. Youth courts mostly agree it is a forum for allowing youth who have committed a minor offense to accept responsibility for their actions and allow their peers to hear the good, bad, and indifferent and arrive at a fair and just sentence largely comprised of mandated community service hours. A common sentiment of the adults behind the operation and administration of these programs is “It is not you we do not like—it is your behavior we do not like” (Peterson & Eppink, 2007).

Almost all local youth court staff encourage and specially request the youth sentenced in youth court to return and volunteer after they have completed their peer-imposed sentence. Local youth court programs vary based on the models the adults have set in place. One of the most well-known youth court directors in America is Candace Fuji from a large youth court program in Illinois. In her program it is made clear

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that youth court is not only about punishment—it is about changing behavior. Candace noted, “We not only acknowledge and express the needs of the victim in youth court, we look at the needs of the youthful offender and their family.” Candace wisely captured a critical aspect of the program when she said, “Youth court provides an environment for change through youth assessments, drug and alcohol treatment, and character building opportunities.” Most adults who come from a youth development background to a juvenile justice background acknowledge little to nothing is done when youth commit

their first few minor crimes. It is a disservice to youth to not hold them accountable and make time to help them realize they have done wrong (Fisher, 2002). Youth court makes time for juvenile crime and as Candace noted, “It is worth its weight in gold.”

Even those familiar with youth court on a national and international levels were pleasantly shocked when George Washington University recently released national data showing that more than 1,925,596 mandated community service hours were assigned by the 1,200 plus youth courts in America in just a one-year period (Peterson & Elmendorf, 2001). If the minimum wage rate of \$5.85 is applied to those hours, a total of \$11,264,735 dollars were contributed to local communities benefiting from these local youth court programs assigning community service to the youthful offenders. Even if only half of that amount was accurate, one would be hard pressed to not support a local youth court that was operating a fairly solid program. The benefits of youth court programs to the community and its residents are substantial and increasing with a quality operational local program.

It is often said in local youth court programs that the only thing better than a volunteer is a well-trained volunteer. Therefore, the service volunteers provide for youth courts is enhanced through effective volunteer training. If volunteers are adequately trained to assume their roles in youth court, the youthful offenders appearing in youth court will likely take their appearance before and during the peer imposed sanction much more seriously than if the young people volunteering in the various court roles are inadequately prepared. Youth volunteers need to be trained in not only how to assume the various court roles, but how to ask questions in a non-combative or threatening manner, how to prepare for the case, and a wide range of other considerations. Most youth

court programs utilize adults from the legal and law enforcement communities to train youth volunteers both prior to and during their service in youth court. The youth volunteers will considerably benefit and enjoy their volunteer time in youth court if they are well trained and feel good about their time in youth court (Fisher, 2002). This will also increase their continued involvement in youth court and they are likely to encourage their friends to volunteer. Training the adults to train the youth to volunteer is also critical and necessary.

Youth volunteers in the local youth court in Northern Illinois have much to say about their program, including “I love volunteering for youth court—it gives me a sense of pride helping others;” “We have a number of youthful offenders who completed the program and now are volunteers for the program;” and “Our program enforces a message to peers that the norm of underage drinking is not acceptable.” Parents of referred youth who were sentenced to youth court also report things like “She woke up after the youth court experience;” “Our child has taken responsibility for his actions and is more aware of how bad decisions can have adverse effects;” and “We felt it was good for our child to hear from her peers what we have been telling her for years.” While some youth and parents may have a negative experience in a local youth court, it appears favorable experiences outnumber negative experiences.

### ***Harnessing Positive Peer Influence***

Youth court is set apart from other juvenile justice programs in that it utilizes peers to help determine the appropriate sentence for other youth who have committed a crime or offense. This critical aspect seems to have touched a good nerve with the adults in local communities who are established and operate the daily logistics of the programs. If peer pressure contributes to the approximately 2.2 million juvenile arrests each year, it can be redirected to become a force leading juveniles to law abiding behavior. Beside the obvious affordability of the youth court program, adult leaders on local, state, and national levels familiar with juvenile crime know all too well the reality of managing juvenile crime and what really takes place in more communities that they want to publicly admit. The courts and probation departments are so backlogged that often a juvenile offender will not have any consequence until the second, third, or even fourth arrest. Youth court is popular because it provides law enforcement with a consequence—a real tangible step in a system of graduated sanctions.

Based on the new National Youth Court Data Collection Report released by George Washington University in 2008, and other reports in recent years, the next two to three years will bring the number to a staggering one million youth and adults who have already been involved with a local youth court in America. By all indications, officials only see this number increasing at a rate consistent with the rapid establishment of youth courts. Social change is rare and in the case of the rapidly expanding youth court movement, it is a rare, unexpected, and most welcome movement that will resonate for many years to come.

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