

# PROGRAM EVALUATION OF THE MONONGALIA COUNTY TEEN COURT

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Table of Contents

Acknowledgements.....3

Table of Contents.....4

List of Tables and Figures.....6

Abstract.....7

Chapter I: Introduction.....8

Chapter II: Review of Literature.....10

    History of Juvenile Courts.....10

    Inception & Operation of Teen Courts.....13

    Restorative Justice Model, Criminological, and Sociological Theories.....22

    Evaluations of Various Teen Courts.....27

    Monongalia County Teen Court.....32

    Early Intervention & Reducing Recidivism.....35

Chapter III: Methodology.....39

    Hypotheses.....39

    Sample & Data Set.....39

Chapter IV: Analysis.....41

Chapter V: Discussion.....47

    Limitations of the Study.....48

    Conclusions.....48

References.....52

Appendix A: Letter from Christopher W. Mullins, Coordinator Granting Permission to Use  
 Monongalia County Teen Court Data Set for Analysis.....58

Appendix B: Monongalia County Teen Court Overview.....59

Appendix C: Monongalia County Teen Court Bylaws.....62

Appendix D: Monongalia County Teen Court Intake Form.....72

Appendix E: Monongalia County Community Service Sentencing Guidelines.....74

Appendix F: Monongalia County Teen Court Jury Verdict Form.....75

Appendix G: The 2008 National Data Collection Project Power Point.....76

Appendix H: Tables and Figures Related to Statistical Analyses.....81

List of Tables and Figures

Table 1: Descriptive Statistics.....81

Table 2: City of Residence Frequencies.....82

Table 3: County of Residence Frequencies.....83

Table 4: School Attended Frequencies.....83

Table 5: Grade Level Frequencies.....84

Table 6: Referral Occupation Frequencies.....84

Table 7: Gender Frequencies.....84

Table 8: Offense Frequencies (By offense category).....85

Table 9: Number of Offenses Frequencies.....85

Table 10: Age by Offense Crosstabulation.....86

Table 11: Gender by Age for the Offense of Truancy Crosstabulation.....86

Table 12: Gender by Offense Crosstabulation.....86

Table 13: Referral Occupation by Offense Category Crosstabulation.....87

Table 14: Juvenile Offender’s Future Plans by Gender Crosstabulation.....88

Table 15: Juvenile Offender’s Future Plans by Offense Crosstabulation.....88

Table 16: Gender by Referral Occupation for Category One Offenses Crosstabulation.....89

Table 17: Gender by Referral Occupation for Category Three Offenses Crosstabulation.....90

Table 18: T-Test One—Age \* Referral Occupation (School Personnel and Police Agencies).....91

Table 19: T-Test Two—Age \* Offense Categories One and Three.....92

Figure 1: Cluster Distribution Tables for Two-Step Cluster Analyses 1-6.....93

Figure 2: Pie Chart of Two-Step Cluster # 2.....95

Figures 3-8: Age Separation by Two-Step Clusters.....96

Abstract

A review of the history of the juvenile courts would not be complete without mention of teen courts. Teen courts are juvenile diversion programs which allow first time offenders with minor offenses a second chance. Instead of facing the traditional court system, these juveniles are given the opportunity to go before a jury of their peers and complete a sentence that jury imposes. If the juvenile offender completes their sentence in the allotted time, their juvenile record is expunged and they are given the opportunity to ‘start over.’ Teen courts have been in existence since the 1970’s and received national recognition in the 1990’s. Teen courts have played a significant role in rehabilitating juvenile offenders and teaching youth volunteers and offenders about the court system. Juvenile offenders are also given the opportunity to serve their community in a constructive way, which gives them a chance to reengage in a positive way. This research project is a program evaluation of the Monongalia County teen court located in Morgantown, West Virginia. This study has looked at the preexisting data set available for juveniles who have been sentenced through this court from 2002-2009. The statistical analysis will give basic information for the program and will make recommendations based on analysis for future improvements.

## CHAPTER I

### Introduction

The treatment of juvenile offenders has been a controversial topic and continues to gain interest and criticism. Historically, children have been referred to as miniature adults and were treated as such by the court. The result led to children being incarcerated in the same facilities as adult offenders. It was not until 1899 in Chicago, Illinois that a group of individuals decided to change the way the court viewed juvenile offenders, thus creating the juvenile court system (Schiraldi & Drizin, 1999). Remedies for adolescent delinquency have since gone through rapid changes in an attempt to lower recidivism rates. Society and juveniles have changed with time and it has become necessary to adapt the court process to these alterations. Teen courts are a major development in the juvenile justice system's approach to delinquency.

Teen Courts are diversion programs offered to juveniles who volunteer to be judged by their peers as opposed to going through the traditional juvenile court process. By participating in teen courts, most juveniles will have their record expunged upon completion of their sentences. Teen courts sentencing options include community service hours, apologies both written and verbal, restitution, jury duty in other teen court hearings, and workshops (Mullins, 2009).

As teen courts have grown in popularity, interest has grown regarding the effectiveness of teen courts in comparison to the juvenile court process. Much research has been conducted in the area of juvenile justice and the teen court diversion plan; however, there is a great deal of research still to be done. Most research studies involving teen courts have focused on court

operation, structure, funding, and how the law relates to teen courts (Butts, Buck, & Coggeshall, 2002; Forgays, 2008; Peterson & Beres, 2009; Wilson, Gottfredson, & Stickle, 2009). There is a great deal of interest in teen courts on the federal, state, and local levels of government. The United States Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP) and private entities such as Global Youth Justice has done extensive research on teen courts. Additional research regarding recidivism rates and comparing teen courts to the traditional juvenile court will be extremely beneficial to understanding the effectiveness of teen courts.

This study will look at the teen court located in Monongalia County, West Virginia and will describe the population of juvenile offenders who have gone through the teen court between 2002 and 2009. Additionally, this study will make recommendations to the Monongalia County Teen Court in order to prepare for future research studies, which will allow the court to measure recidivism rates and the effectiveness of the court. However, this study will not measure how teen court affects recidivism rates or how teen court measures up to the juvenile court. While these are both worthy areas of study, they are not feasible for this particular research endeavor.

## CHAPTER II

### Literature Review

#### **The History of Juvenile Courts**

Before the social justice movements, civil rights, and restorative justice model became the accepted norm, children were judged by the adult court system and incarcerated in the same facilities as adult offenders. This resulted in children being abused by incarcerated adult offenders in addition to receiving punishments that were not equal to their indiscretions. Change was needed in the way in which children were dealt with by the court and thusly punished. Reform seemed to be the answer to this persisting problem of correcting juvenile offenders.

The reformation of the justice system's dealings with children began in Chicago, Illinois in the late 1800s. After seeing the House of Corrections in Chicago and the state in which children were incarcerated, Jane Addams, Lucy Flower, Julia Lathrop, and John Altgeld pushed for legislative reform that would allow for a juvenile justice system separate from the adult justice system. On July 3, 1899 the first juvenile court in the world opened in Chicago as a result of these reformers' efforts (Schiraldi & Drizin, 1999).

The beginnings of the juvenile justice system were days of reformation, believing that children were, "less culpable for their actions and more amendable to intervention than their elders" (Schiraldi & Drizin, 1999, p. 24). This belief led to a court that dealt with children in a way that emphasized modifying children's antisocial behaviors, rather than punishing them for

their criminal activities. It should be noted; however, that this was also a time when children went before the juvenile court for lesser offenses than those of their predecessors.

The rehabilitative model of juvenile justice was extremely successful from the time of the Chicago reforms up until the late 1960s. Youth advocates of the day believed that children who went before a juvenile court deserved the same representation and rights which adult offenders were afforded. As a result “in 1967, the Supreme Court agreed, holding, in *In re Gault*, that youths in juvenile court have a right to an attorney and other protections that criminal defendants receive” (Scott & Steinberg, 2008, p. 17). This Supreme Court decision completely changed the way the juvenile court operated, but the changes were far from over. In the 1980s, the juvenile crime rate was on the rise, leading to a growing concern as to the effectiveness of the already unstable juvenile court.

As juvenile offenses became more serious and the political climate changed, those in charge of the juvenile court were left with a decision to be made: either continue as a rehabilitative model of juvenile justice and face continued ridicule or choose a tougher approach to juvenile offenders. So, in response to rising violent juvenile crime, the juvenile court adopted more punitive policies leaving the rehabilitative model behind. “According to some observers, the juvenile court may have met the needs of a simpler time when juveniles got into school yard fights, but it was not up to the task of dealing with savvy young criminals who used guns to commit serious crimes” (Scott & Steinberg, 2008, p. 17). As is generally the case in the criminal justice system, the pendulum of justice was swinging from one extreme of punishment to another. Seldom is there a balance in our punitive system; rather, there is change in response to public fear and outcry.

The 1990's brought new challenges for the juvenile court system. By 1995 three-fourths of states had made legislative changes that made it easier for juvenile offenders to be tried as adults if the crime committed is a felony. Moreover, many states took away the confidentiality protections afforded to juvenile offenders and allowed large numbers of juvenile offenders to be placed in adult facilities (Schiraldi & Drizin, 1999). Research by independent agents and government entities such as the Centers for Disease Control confirmed that juveniles who are transferred into adult facilities are 34 percent more likely to reoffend. They are also 36 times more likely to commit suicide in an adult facility. Additionally, many proponents of juvenile detention in adult facilities have argued that deterrence theory has a positive result; however, research shows this is not the case because most juvenile offenders are not aware of the policies drawn from deterrence theory until they are in the system (Shepherd, 2008).<sup>1</sup>

These drastic changes in the juvenile court system were partly in response to juvenile crime rates rising. While some rates of juvenile crime were on the rise in the 1990's, these increases were not so drastic as to suggest that there needed to be enormous policy changes in how juvenile courts processed juvenile offenders. It is true that there are select groups of offenders who are not responsive to rehabilitative measures, and thus will be likely to reoffend; however, when policies and procedures are changed in response to this small portion of the offending population, more harm than good is done.

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<sup>1</sup> Deterrence theory in this instance states that the easier it is to transfer juveniles to adult facilities the less likely juveniles are to offend.

### **The Inception & Operation of Teen Courts**

Of particular interest for the purposes of this study, during the historical workings of the juvenile court, is the inception of teen courts.<sup>2</sup> Teen courts are a part of the juvenile court process, but are an alternative to the family court where juveniles are typically tried (Peterson & Beres, 2009). The family court functions as part of the juvenile court process, but is also part of the adult court. In the State of West Virginia; however, juvenile offenders are tried in the circuit court.

Teen courts are diversion programs that give juvenile offenders who qualify for participation, a second chance at keeping their juvenile records clean. While most states seal juvenile records, in some cases those records can become an issue for juveniles while they are still under eighteen or even once they become an adult. As such, teen courts are an option for many juveniles as long as they meet prior qualifications and agree to the terms the teen court sets for their participation in the program.

There is much conflicting evidence as to the very first teen courts, but most researchers agree that teen courts started in the 1970's. The Naperville Peer Jury, in Illinois, claims its roots go back to 1972. The Grand Prairie Teen Court in Texas and the Town of Horseheads Youth

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<sup>2</sup> It should be noted for the purposes of this research project that the term 'teen courts' will be used to refer to this diversion program. Additionally, many sources refer to teen courts as 'youth courts.' In that case, the term teen courts will be inserted for clarification.

Court in New York both began in 1976. The first teen courts grew from communities who wanted to “provide a more effective response to juveniles who exhibited delinquent behavior” (Peterson & Beres, 2009, p. 6). Teen courts in the 1980’s were an individualized grassroots movement, which lacked national solidarity. Teen court advocates and juvenile justice professionals began promoting teen courts as a healthy alternative for troubled youths.

Until this point the teen court movement was being promoted on a local level. It was not until the early 1990’s that the teen court movement became a national endeavor. Several significant events occurred which contributed to the national teen court movement. For example, Texas established the first statewide teen court association, then a major publication regarding teen courts was published in a criminal justice journal. Additionally, teen courts gained establishment as a Law-Related Education program, while North Carolina passed legislation for teen courts. Lastly, a national survey of teen courts was administered to highlight a few significant points of interest (Peterson & Beres, 2009).

In the late 1990’s and early 21<sup>st</sup> century, teen courts gained the greatest momentum through state legislation and the United States Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP) research efforts. As a result of these and other interests in teen courts, the national youth [teen] court was established (Peterson & Beres, 2009). The federal government, criminal justice practitioners, researchers, and private entities supported this national effort. Major research articles about teen courts were not published until the 1990’s, therefore, a great deal of the relevant research spans the 1990’s to present day.

Teen courts gained support in the 1970’s and that support has continued to grow through the present day. Teen courts gained popularity and support quickly once they gained national attention. This national attention led to legislative support for the teen court movement. This

support does not usually come in the form of statute because of the various ways teen courts function; however, legislation supports the development and facilitation of the teen courts. Legislative support is state specific and based on those guidelines teen courts follow suit (Butts & Buck, 2002). It is noteworthy that many states have teen courts, but lack legislative guidelines (Heward, 2002).

State legislation regulates the creation and operation of teen courts, adds legitimacy, accountability, authorization, and needed funding to the programs. “Because of the combined qualities of youth development, service, and education—service-learning—and promising research results, policymakers find youth [teen] court to be an easy sell to their peers and can address funding for the program creatively” (Pearson, 2004, p. 9).

Funding is one of the fundamental issues in creating teen courts; without funding these programs cannot exist. Most states with legislation have provided the majority of funding for teen courts; however, states without legislative support rely on creative fund raising endeavors. Since most communities view teen courts favorably, they are typically willing to help with funding efforts. Those states with legislation typically have a tax that funds teen courts or they will take funding from the adult courts. States without legislation operate the courts like any other non-profit organization, looking for donations and sponsorship (Pearson, 2004).

Global Youth Justice, a non-profit organization, conducted one of the largest national teen court data collection projects, in collaboration with George Washington University and The Hamilton Fish Institute (Peterson, 2008). The data collected covers all areas of teen court operation, including funding. The majority (68.3%) of teen courts operate on less than \$50,000 per year; of those courts 30.67 percent operate on less than \$10,000 yearly (Peterson, 2008). Additionally, 177 (59%) have a single source of funding (Peterson, 2008).

Who funds teen courts seems to have a great deal of influence on the priorities of the court. In programs that were not funded by an education agency the average number of youth volunteers was 88, but the 32 (7%) that are funded by an education agency had an average of 219 youth volunteers (Peterson, 2008). The number of youth volunteers is another reason why legislation and community support are so important to the operation of teen courts.

Teen courts that operate without some type of set guidelines or legislative support have a tendency to be unstable. These unregulated teen courts will operate outside of national standards and can have a negative impact on juveniles that participate in those teen courts (Heward, 2002). It is for this reason that there are set guidelines for teen courts to operate. Also, because teen courts are voluntary diversion programs and not part of the traditional juvenile courts, it is necessary to define the types of cases they are permitted to hear and the punishments they are able to render.

This need for solidarity among teen courts became one of the mitigating factors which allowed for the creation of national guidelines.

The National Youth Court Center, created by the U.S. Department of Justice and U.S. Department of Transportation and operated by the American Probation and Parole Association, serves as an information clearinghouse for state youth [teen] court agencies and local youth [teen] court programs and provides training and technical assistance on the operating procedures required for a quality youth [teen] court program through conferences, regional training seminars, onsite technical assistance, and workshops (Pearson, 2003, p. 3).

The creation of national guidelines has allowed a measure of consistency to exist among the various teen courts. However, teen courts are not uniform in their operation or their choice of participating juveniles. "Youth [teen] courts have traditionally been created by a wide variety of local organizations (e.g., Junior League, American Legion Auxiliary, youth bureau, probation office, juvenile court, bar association, YMCA, sheriff's office, police department) with no single

central linking organization” (Nessel, 2000, p. 2). While teen courts have many similarities, their creation and existence meets the needs of the communities they serve.

Teen courts are community specific, which means that their function varies depending with the demographics and populace where they are located. A major metropolis is likely to have more gang activity among juveniles, which leads to more serious and violent crimes. Therefore, teen courts that operate in these cities must start with younger juveniles and deal with minor offenses in order to be effective. Teen courts that exist in smaller cities or towns will typically have mixed ages of juvenile offenders who are less violent and commit minor offenses. This community-specific existence of teen courts causes national solidarity to be challenging, but not impossible.

National guidelines are difficult to implement because of the nature of teen courts. However, “if local policy and procedure are set, based upon principled guidelines, it can help avoid inconsistent or arbitrary practices while encouraging more enlightened procedures” (Godwin, Heward, & Spina, 2000, p. 2). Guidelines add legitimacy and allow multiple teen courts in various locations throughout the United States to operate in a similar fashion while still meeting the unique needs of the community.

There are many facets to how teen courts function. Program directors and coordinators have to consider the type of program, cases, offenders, funding, and guidelines that will work best for them. The national youth [teen] court endeavor gives new programs a model to follow, but ultimately the way a court is set up and functions must be individualized.

There are four major types of teen court models used throughout the United States. The most common type is the Adult Judge Model in which an adult presides over the hearing for legal and procedural purposes with youth volunteers serving as jury members, legal defense, and

prosecution. The other three models only employ youth volunteers. The Peer Jury Model uses only a panel of teen volunteers who question the defendant. The Youth Judge Model functions exactly like the Adult Judge Model with the exception being that the judge is a youth volunteer. The last model is the Tribunal Model, which only uses the judge, prosecuting attorney, and defense counsel to hear a case (Nessel, 2000).

The types of cases that are heard by teen courts are similar, but are community specific. National guidelines suggest that teen courts should not take cases that are sexual, violent, or psychological in nature. Additionally, cases that involve the distribution of narcotics or certain repeat offenses should not be heard (Peterson, no date). These limitations exist for the types of cases teen courts hear because the program is only meant to rehabilitate juvenile offenders who commit minor offenses. More serious offenses should be dealt with in the traditional juvenile courts where appropriate sanctions can be imposed.

Most teen courts will hear cases from the following listing:

theft and larceny, vandalism, alcohol offenses, disorderly conduct, simple assault (or battery), possession of marijuana, tobacco offenses, curfew violation, school disciplinary cases, traffic violations (not DWAI OR DWI) unless licenses revoked as per state law and the referral to the program is an added sanction like a certain number of community service hours would be, truancy, criminal trespass, criminal mischief/criminal nuisance, possession of drug paraphernalia (marijuana only – programs strongly discouraged from taking any narcotic related paraphernalia), harassment, fraud, burglary, false reporting, loitering, possession of stolen property, possession of a weapon, reckless endangerment, regulatory violations, runaways, and unauthorized use of a motor vehicle (Peterson, no date, slides 9-16).

These offenses are typical of juvenile offenders and are mostly minor offenses. The theory behind this choice of cases is that the first time juvenile offender, who commits these types of crimes, will be more amenable to rehabilitative measures used in the teen courts model of justice. For example, Nick age 15 went before the teen court in Fort Worth, Texas for using

Marijuana (Farrington, 2004). Zach age 17 went before a teen court for underage drinking (Kowalski, 1999). The names of these juveniles were changed to protect their identities, but they are classic examples of the types of cases that go before teen courts all over the country. Teen courts must also decide the types of sanctions that will be imposed on juvenile offenders who participate.

Most teen courts' sentencing options include: "community service hours, mandatory jury duty, writing assignments on the hazards of drinking and drugs, and alcohol or drug awareness classes" (Farrington, 2004, p. 16). The most common sentencing option used by teen courts is community service. This is a popular option because it allows juveniles to serve their community in repayment for their offenses, it helps the community, and it gives teen courts a selling point for funding and support.

While community service is used frequently as a sentencing option, there are conflicting opinions regarding its effectiveness. Proponents claim that community service fulfills sentencing needs by reducing fines and matching the sentence to the crime. However, opponents cite that it does not teach juveniles and is nothing more than a punishment (Mandated Community Service PowerPoint). Rehabilitation and the reduction of recidivism cannot be attributed to community service, but it does contribute to balanced and restorative justice, which is essential to the way in which teen courts function (Mandated Community Service PowerPoint).

If community service is structured and specifically related to the juvenile's offense, it can be a great teaching tool. Manuals such as *Giving Back: Introducing Community Service Learning*, published by the OJJDP, help teen courts get creative with their sentencing options. This manual shows coordinators that they can choose action projects, volunteer activities, or teach-ins for the juvenile's community service (Degelman, Doggett, & Medina, 2006). A teach-

in requires juveniles to give instruction to younger students about topics related to their offenses. Within these options they may choose to make the community service hours offense-specific. For example, for juveniles charged with substance abuse, one sentencing option suggests that youths be required to do teach-ins, introducing refusal skills to groups of younger students (Degelman, et al., 2006). Community service is very popular because it allows the teen courts coordinators to contribute to the community and juveniles can learn from the experience.

Once the structure, types of offenders, and sentencing options are established, teen courts need youth and adult volunteers. Most teen courts only pay one staff member, the coordinator of the program; all other adults and youths who are involved in teen courts are volunteers. As a result, training, recruitment, and retention are all areas of interest for the coordinator of the program (Strategies & Tips PowerPoint).

According to Global Youth Justice, “the most effective programs are those that train both the youth and adult volunteers, and even the juvenile offenders who are doing jury duty – a role which also benefits from training” (Strategies & Tips PowerPoint). A coordinator should utilize members of the law enforcement and judicial community along with educators to properly train the teen courts volunteers. The juvenile offenders who participate in teen courts need to view the court as unified and organized; it is for this reason that all volunteers must be prepared for the role they play in the process.

The program coordinator should also administer surveys to the volunteers in order to measure the effectiveness of the training they received. It is extremely important to the success of the program that volunteer training meets the needs of the community, juvenile offenders, and the teen court. The best way to ensure this happens is through survey research, which may be quantified and studied (Strategies & Tips PowerPoint).

Stakeholders are also an intricate part of teen courts. A stakeholder is any member of the community (judges, juvenile justice system representatives, city and state officials, educators and school officials, civic and social service organizations, victims, and juveniles) who has a significant interest in the teen courts operation (Godwin, Steinhart, & Fulton, 1996). Once a program coordinator identifies members of the community as stakeholders, these individuals become a network of support and advocacy for teen courts. “Those identified can provide valuable assistance and information to teen court programs in a variety of areas” (Godwin, et al., 1996, p. 15).

All of these elements come together to create the teen court experience. State and community support through legislation and funding, in addition, adult and youth volunteers make teen courts possible. Without each of these integral parts, the organization as a whole cannot function. “It’s an educational experience that everyone profits from,” said California Superior Court Judge Jaime Corral” (Should teens judge teens, 1995, p. 3).

Teen courts are viewed favorably because they “serve[s] as a prevention and early intervention program, holds juvenile offenders accountable, and provides a means for educating youth on the legal and judicial systems” (Peterson, 2007, slide 4). These are only a few of the assets that make teen courts appealing to community leaders. By the year 2008, there were 1,250 teen courts operating in 49 states, including the District of Columbia (Schneider, 2008). These courts are a vital part of the juvenile justice system and have continually grown since their inception.

### **Restorative Justice Model, Criminological, and Sociological Theories**

Restorative justice has been a recurring theme throughout the existence of teen courts. Any academic discussion of teen courts will inevitably include thoughts and comments regarding restorative justice. “In essence, restorative justice focuses on repairing harm and rebuilding relationships through a process that involves stakeholders in an active and respectful way, while emphasizing the community’s role in problem solving” (Godwin, 2001, p. 1). Restorative justice has this recurring presence in the literature of teen courts because the tenets of restorative justice closely mirror the goals of teen courts.

Restorative justice is based on principles which can be applied to already existing teen courts. The basics of these principles are to repair the harm that has been done by the crime that was committed, involve everyone who was affected by the crime in the punitive process, and change the justice system’s focus to problem solving through a community-based approach (Godwin, 2001). The use of the restorative justice model in teen courts is more beneficial to juvenile offenders because instead of the crime being committed against an arbitrary entity (i.e.- the state), the focus is on how crimes affected the community and individual victims (Forgays & DeMilio, 2005). This focus on tangible victims allows juvenile offenders to have a better understanding of their criminal actions.

The restorative justice approach is based on responsibility and reengagement rather than punishment. The premise is that the offender is less likely to reoffend because he or she was held accountable for the crime and additionally provided

with opportunities to positively reengage with the community (Forgays & DeMilio, 2005, p. 116).

These elements of restorative justice make it one of the best theoretical platforms for teen courts.

The major difference between the current philosophy of many teen courts and what the restorative justice philosophy demands is the view of the goal of teen court as responding to a crime or problem behavior by punishing the juvenile, as compared to the focus on the harm that was created by the crime or problem behavior and assisting the juvenile in making amends for their behavior and the resulting harm (Godwin, 2001, p. 3).

A significant portion of teen courts focus on community service as a form of punishment for juvenile offenders. Restorative justice principles may be easily implemented into teen courts by shifting the focus to the harm of a criminal act, rather than punishing the juvenile offender. This shift in focus can also continue to include community service projects as a way to repay the harm done. Opponents of community service's role in teen courts would be more likely to accept it if presented as restitution for the crime because it would clearly serve as a teaching tool. Almost every teen court can incorporate the restorative justice model taking into account the community in which the court exists.

Additional criminological and sociological theories are used to evaluate and guide teen courts. As teen courts are community specific, what one finds in the literature available, is that many theoretical approaches are used to evaluate and advocate teen courts to the public. Restorative justice, though an exceptional fit for teen courts, is not always implemented. Thus, other theories must be considered in the study of teen courts. A few of the primary theories that are used include social control, empowerment, labeling, deterrence, social learning, and differential association (Dick, Pence, Jones, & Geertsen, 2004; Forgays & DeMilio, 2005; Forgays, DeMilio, & Schuster, 2004).<sup>3</sup>

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<sup>3</sup> It should be noted that social learning and differential association theory coincide.

The foremost contemporary social control theorist, Travis Hirschi, developed a bonding theory in his 1969 book, *Causes of Delinquency*. Through this theory of bonding, Hirschi argues that social bonds are broken down into four elements: attachment, commitment, involvement, and belief. If any of these bonds are weak, an individual will be more likely to commit criminal acts (Siegel, 2005). The premise of social control theory, as it relates to teen courts, states that as juveniles feel more connected to their community they are less likely to offend (Forgays, et al., 2004). This connection to the community is comparable to the elements of Hirschi's bonding theory. Juveniles, who feel more connected and are sensitive to other individuals, are more likely to adopt and work toward legitimate goals (Siegel, 2005).

Community service is an example of this connection goal. As juvenile offenders work in the community in which they had previously committed crimes, they will start to feel a greater sense of pride and belonging. Typically juvenile offenders commit crimes because of boredom and lack of constructive activities; as they serve their community they will become more engaged and involved, thus helping them realize the value of their communities and ultimately themselves.

Chinman & Linney (1998) propose that, "empowerment theory provides a complementary explanation for the positive changes in youth offenders" (Forgays & DeMilio, 2005, p. 108). The premise behind empowerment theory for teen courts is that juvenile offenders will become vested in their own future. "Empowerment aims to use specific strategies to reduce, eliminate, combat, and reverse negative valuations by powerful groups in society affecting certain individuals and social groups" (Payne, 1991, p. 229).

Empowerment theory is used in reference to the active involvement of juvenile offenders in the teen courts processes once they have completed their sentence. Additionally, when prior

offenders serve on future teen courts it gives them a sense of self-worth and value. These positive experiences combined with the juvenile offenders taking a personal responsibility, according to empowerment theory, creating a pro-social outlook as opposed to the typical antisocial behavior that most juvenile offenders possess (Forgays & DeMilio, 2005).

A commonly-known perspective of labeling theory comes from Edwin Lemert. Lemert's concept of labeling theory breaks down into two categories: primary and secondary deviance. Through the violation of norms and societal values individuals who commit deviant and at times criminal acts, are labeled or categorized by society as a whole. This label of deviance, Lemert believes, will actually contribute to more delinquency and criminal acts by the individual being labeled (Siegel, 2005). Labeling theory proponents suggest that teen courts may create more delinquent behavior through the process of identifying juvenile's as offenders (Dick, et al., 2004). According to the symbolic interactionism perspective of labeling theory, "it is not the application of the label that results in further delinquency, but the interpretation of the label" (Wilson, et al., 2009, p. 22). Used in this context, labeling theory is extremely applicable to the teen court experience and gives light to a potential risk associated with this diversion program. The harm associated with the label of 'juvenile offender,' according to labeling theory, may be more significant than the rehabilitation the juvenile receives as part of the program.

Theories of general and specific deterrents find their roots in the school of classical criminology and the works of Cesare Beccaria. Beccaria believed that for a punishment to be effective its consequence would have to outweigh the pleasure of a criminal act. He also advocated that punishments be swift, severe, and certain (Siegel, 2005). The theory of general and specific deterrents in regard to teen courts proposes that, "the effect of a sanction may depend on the youth's [juveniles] history of deviance and the sanctions he or she received

(Rausch, 1983)” (Dick, et al., 2004, p. 1453). The type of sanction that teen courts employ may not necessarily be effective for every juvenile. Therefore, for teen courts to be effective the punishments given must be tailored to each juvenile offender.

Albert Bandura is one of the leading contemporary social learning theorists. Social learning theory states that, “people are not actually born with the ability to act violently but that they learn to be aggressive through their life experiences” (Siegel, 2004, p. 156). Social learning theory in relation to teen courts postulates that since role models are extremely important to adolescent development, peer juries are more likely to have an impact on a juvenile offender than an adult jury (Forgays, et al., 2004). Differential association theory under the umbrella of social learning theory states that, “the symbolic meanings we attribute to behavior, goals, and other socially negotiated commodities become valued or devalued through a learning process that occurs over time (Sutherland, 1947)” (Dick, et al., 2004, p. 1453).

Using this theoretical approach, one may conjecture that juveniles, who learn bad behavior, have the ability to unlearn bad behavior in exchange for good behavior. Differential association theory can contribute to teen courts through the imposition of sanctions by the juvenile offenders’ peers. Through this process of sanctions and sentence completion, juvenile offenders may be persuaded to not recidivate (Dick, et al., 2004).

### **Evaluations of Various Teen Courts**

Several research efforts have been conducted on specific teen court programs. Most of these projects have attempted to identify the types of offenders who participate in teen courts and subsequent recidivism rates. One area of research that has gained recent interest is measuring the effectiveness of teen courts. This section will review a few of the significant evaluations of teen courts around the country. Each of these evaluations is included because of a unique structure, the type of research conducted, or the subjects selected. The evaluations included are: Butts, Buck, & Coggeshall (2002); Forgays (2008); Garrison (2001); Greene & Weber (2008); Harrison, Maupin, & Mays (2001); Hissong (1991); Rasmussen & Diener (2005); Weisz, Lott, & Thai (2002); Williamson, Chalk, & Knepper (1993); and Wilson, Gottfredson, & Stickle (2009).

Butts, et al. (2002) is a unique evaluation, because it was commissioned on a national level by the OJJDP in order to shed light on how teen courts function.

This is the first report of findings from the Evaluation of Teen Courts (ETC) Project, which was conducted by the Urban Institute and funded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. The ETC Project studied teen courts in four States: Alaska, Arizona, Maryland, and Missouri. Researchers measured pre-court attitudes and post-court recidivism among more than 500 juveniles referred to teen court for non-violent offenses, such as shoplifting and vandalism. The study compared recidivism outcomes for teen court defendants with outcomes for youth handled by the regular juvenile justice system (pre-numbered page).

This national study of teen courts is a great means of comparison since most teen courts exist to meet the needs of their community. A comparison of teen courts on a national level, such as this one, is exactly the type of research endeavor needed in order to truly understand how

teen courts perform in comparison to one another. The other studies included have reviewed a few teen courts in one area, or one teen court from various perspectives.

The study conducted by Butts, et al. (2002) is of particular interest. Their study focused on recidivism as it relates to teen court's effectiveness. Based on evaluation questions posed by the OJJDP regarding individual outcomes as a result of the teen court experience in comparison to the traditional juvenile court, four locations were chosen. The results indicate that, based on a six-month recidivism comparison of each location, "teen court youth were significantly less likely to re-offend than were comparison group youth in two of the four study sites" (Butts, et al., 2002, p. 27). The authors of this study propose that this is a significant finding and point to the need for more research on teen courts.

In another study, Forgays (2008) sample included 84 youths who were processed in the Whatcom County teen courts over a three-year period. The purpose of this study was to look at teen court participants' sentence completion rates and recidivism as compared to court diversion offenders for recidivism rates. Data measures used in this evaluation were unique including the Northwest Youth Services Intake, Assessment Record/Evaluation Form, a Nine Item Satisfaction Exit Survey, and the Harter Self-Perception Profile for Adolescents (Forgays, 2008). The self-reporting nature of these data measurements leaves a margin of error in reporting, but also leaves a potential to unlock information that would otherwise be unknown to the researcher. Significant findings suggest that teen court participants had a lower recidivism rate when compared to the court diversion offenders, but that both groups had similar completion rates (Forgays, 2008).

Garrison (2001) evaluates a Delaware Teen Court located in Kent County, Kentucky. This teen court uses the adult model and Garrison uses data from the first two years of the teen courts operation. The primary purpose of this study was to look at the general descriptives of the

sentences imposed, recidivism rates, and completion rates. The results indicate that, “the Kent County Teen Courts had a recidivism rate of 15% with a 63% sanction completion rate” (Garrison, 2001, p. 20). Garrison suggests that, “teen courts may be most effective, not in reducing recidivism, but in having first time offenders complete sanctions intended to make them reflect on the wrongfulness of their behavior” (2001, p. 20). This study holds great statistical significance, not for recidivism, but for sentence completion rates. Garrison (2001) suggests that teen courts focus more on first time offender sentence completion as an end goal, rather than looking at recidivism rates. In order for teen courts to be worthy of funding, recidivism rates must be considered in some form.

Greene & Weber’s (2008) study focuses on the youth jurors’ role in teen courts and their perceptions. Using a juror questionnaire designed to measure how jurors used the evidence presented at trial and to determine if sentences are in line with restorative justice principles, Greene & Weber (2008) collected data from 98 youth jurors involved in a teen court program in a mid-sized city in the western United States. The results of the study indicate that during jury deliberations the evidence presented in the trial was not of great significance, some of which was never even discussed. Additionally, “of the 15 sources of information that could be (and often are) conveyed in these cases, jurors heard on average 55% of them but discussed only 29% during their deliberations” (Greene & Weber, 2008, p. 9). Regarding sentencing and restorative justice principles, the researchers found that jurors favored a non-punitive approach to sentencing, they preferred juvenile offenders learning from their criminal actions, rather than impose simple punishment.

Harrison, et al. (2001) present an evaluation of the Dona Ana County Teen Court located in Las Cruces, New Mexico. The researchers collected general descriptive data of the

participants and interviewed stakeholders to identify the processes used and potential areas of improvement. The researcher's hypotheses predict a 20% or less recidivism rate that those participants who do not complete the court process are more likely to reoffend. The results indicate a 25.3% recidivism rate. A total of 350 youths completed the program with a 22.6% recidivism rate, and 126 youths did not complete the program with a 32.3% recidivism rate (Harrison, et al., 2001). The study is similar to that of Garrison (2001), looking at sentence completion and overall recidivism. Harrison, et al. (2001) also indicate various additional areas of future study in regard to teen courts.

Hissong (1991) conducted research on the teen court in Arlington, Texas, testing the hypothesis that suggests "young offenders responded more positively when judged by their peers and required to serve the community constructively than when judged and sentenced in the traditional fashion" (p. 14). This evaluation is one of the earlier published works in the area of teen courts. The results of this study indicate correspondence between teen court participation and the success of juvenile offenders. Of the 392 observations used for this study, 75% had not recidivated compared to 64% of the non-teen court juveniles. While these findings are somewhat rudimentary in nature, considering the time period of this research, it was of great significance to researchers.

Rusmussen & Diener (2005) use a prospective longitudinal study to assess impressions of teen courts. The evaluation uses questionnaires and self-reporting items to measure changes in reported delinquency. This evaluation of the teen courts participants' perceptions and reported delinquency is a unique way to study teen courts from the offenders' perspective. The study included 60 juvenile offenders taken from a teen court's intake group in a Midwestern community. Results of the study indicate that self-reported delinquency was within a normal

range and indicated positive impressions of procedural justice (Rusmussen & Diener, 2005). This is a unique study and the results have positive implications for teen courts.

Weisz, et al. (2002) has an interesting perspective looking at teen courts from a therapeutic jurisprudence perspective. Therapeutic jurisprudence approaches the law with regard to mental health issues. The primary goal of this evaluation was to measure recidivism and volunteer/defendant attitudes and feelings regarding teen courts. This study had 177 participants from a newly developed teen court in a medium sized mid-western urban area, measured on the Davis Empathy Scale, the Attitudes to Authority Scale, the Just World Scale, and Teen Court Satisfaction Surveys (Weisz, et al., 2002). The findings from these surveys contradicted the findings of the study conducted by Rusmussen & Diener (2005) indicating that the teen court experience did not have a meaningful impact on participants' attitudes. Additionally, in contradiction to the prior research, volunteers and participants did not indicate an increased respect for institutional authority. "This study did not support the teen court experience as having a generally beneficial impact on defendants or volunteers that would be expected from a therapeutic jurisprudence perspective" (Weisz, et al., 2002, p. 381).

Williamson, et al. (1993), like Hissong (1991), was conducted at a time when literature on teen courts was fairly new. The contents of this evaluation involves a teen court in Northern Kentucky and the evaluation is an overview of function, funding, and the legislation of the teen court. Law Related Education (LRE) is a key factor to the operation of teen courts in Northern Kentucky. LRE is founded on the belief that young people who understand how the legal system works will be less likely to violate laws (Williamson, et al., 1993). The results of this evaluation show promise for the Northern Kentucky teen court and thus juvenile justice policy.

Wilson, et al. (2009) takes another interesting approach to evaluating teen courts by looking at program type and the gender of the juvenile offender. The data used for this evaluation came from four different teen courts in Maryland, each coming from a different county. The original data was collected for an evaluation conducted by Stickle et al. (2008) and was used for this analysis (Wilson, et al., 2009). The researchers sought answers to three hypotheses using this data set:

A positive self-concept being related to less delinquency for both males and females in both groups; relative to males, teen court will result in a more positive self-concept for females; and relative to males, teen court will result in less delinquency for females (Wilson, et al., 2009, p. 23).

The results of the study support the first hypothesis; however, the second hypothesis was not supported, and showed no significance in delinquency levels.

### **Monongalia County Teen Court**

This section will summarize the teen court located in Monongalia County, West Virginia, which is the focus of this research study.<sup>4</sup> Judge Russell Clawges had the idea to start a teen court in Monongalia County. He petitioned the legislature to write the law to govern and allow teen courts to exist in West Virginia. Clawges then put together a committee in Morgantown and established the teen court (Mullins, 2009). The Monongalia County Teen Court defines itself as, “a legally binding alternative system of justice that offers young offenders opportunities to take responsibility for offenses through community service, essays, apologies, and jury duties” (Mullins, 2009, p. 1).

From 2002-2007, the Monongalia County teen court heard 327 cases. The major crimes that teen court hears are possession of marijuana, underage possession/consumption of alcohol and shoplifting. Other cases that teen court

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<sup>4</sup> See Appendix B for the full version of the Monongalia County Teen Court Overview and Appendix C for the full version of the Monongalia County teen court bylaws.

handles are battery, curfew violations, underage tobacco possession, and vandalism (Mullins, 2009, p. 2).

The Monongalia County teen court uses the Adult Judge Model. All of the participants in the courtroom are youth volunteers (age 12 thru 17) or in some cases juvenile offenders who have been sentenced to serve on future juries. An adult volunteer (typically a lawyer from the community) will preside over the hearing. Ultimately, the youth volunteers who serve as jury members choose the defendant's sentence. The adult judge directs the procedures of the court and oversees the youth volunteers acting as court clerk, prosecution, defense council, and jury (personal observation of the court, January 27, 2010).

The Monongalia County teen court receives referrals from anyone in the community (i.e.- parents, teachers, counselors, and police officers). "Once the probation office receives a referral, it is screened for previous criminal activity and appropriateness for teen court" (Mullins, 2009, p. 1). The family of the juvenile must agree to participate in the teen court program as an alternative to the traditional probation office process. In doing so, the juvenile must plead 'no contest' to the charges. At that time the program coordinator will meet with the juvenile and the family in order to set up a hearing date, usually within two weeks of the initial meeting (Mullins, 2009).

The Monongalia County teen court is fortunate to be legislatively supported by the state of West Virginia. "West Virginia Senate bill 144, allows for counties and cities to fund a teen court program by adding \$5 to the court costs incurred for felonies and misdemeanors in that county" (Mullins, 2009, p. 2). This revenue has allowed teen court programs to be established and thrive throughout the state.

The Monongalia County court has a Board of Directors, consisting of members of the community (stakeholders) who are responsible for management of the teen court program and

represent the interest of the community. Christopher W. Mullins (personal interview, January 15, 2010) stated that the board has no involvement in the courts proceedings (one member does volunteer with the court); however, they do meet every few months to discuss the court.

Members are elected to two-year terms and may serve no more than three consecutive terms according to the court's by-laws; however, according to Christopher W. Mullins (personal interview, January 15, 2010) most members have been on the board since its inception. Though the Monongalia County teen court has been in operation since 1997, the Board of Directors did not have their first meeting until 2006 (Monongalia County Teen Court, 2009).

The Board of Directors elects its own members and evaluates the performance of its members. Members are not financially compensated for the service they provide to the teen court. The board has a President, Vice-President, Secretary, and Treasurer. The board elects these officers from the current board members. Board members also serve on committees which conduct the business of the court, oversee finances, personnel, protocol, and procedures (Monongalia County Teen Court, 2009).

The teen court Coordinator is responsible for the day-to-day administration of the court. Additionally, the Coordinator is expected to work with the Board of Directors on long-term plans and the execution of future program plans. The Coordinator is evaluated on an annual basis by the Board of Directors to ensure that he or she is serving the best interests of the teen court (Monongalia County Teen Court, 2009). The current Coordinator is Christopher W. Mullins. Mr. Mullins (personal interview, January 15, 2010) has served as the Coordinator for the Monongalia County teen court since 2002; he is the fourth Coordinator since the program's inception.

Mr. Mullins' (personal interview, January 15, 2010) educational background includes a Bachelor of Science in Secondary Education specializing in Social Studies from West Virginia University (WVU), one year of law school at WVU, and 20 hours toward a Master of Science in Special Education from WVU. Through a newspaper article, Mr. Mullins (personal interview, January 15, 2010) found out about the teen court Coordinator position and as a result of his previous employment position being terminated applied for the position and subsequently has been serving as the Coordinator.

Mr. Mullins was the first Coordinator to collect data on the juveniles being processed through the teen court. He (personal interview, January 15, 2010) believes that the teen court could greatly benefit from more referrals (only having had 45 in 2009) and greater community awareness through public relations. When asked how to implement follow-up surveys to the juveniles who have been processed through the court and their families, Mr. Mullins (personal interview, January 15, 2010) said that funding to send the surveys out would be needed, in addition to someone to analyze the data and ultimately create the survey instrument itself.

### **Early Intervention & Reducing Recidivism**

Two areas of research that are of particular interest to any correctional program, but especially teen courts, are early intervention and the reduction of recidivism rates among juvenile offenders. "Primary preventions have been defined as interventions that promote well-being and prevent future problems" (Mann & Reynolds, 2006, p. 153). The mission of alternative justice programs, such as teen courts, has been to intervene early with juvenile offenders, in order to correct anti-social behaviors in juvenile offenders before they reach adulthood. Teen courts exist in an attempt to avoid or reduce the possibility of an adult offender. This is why early intervention and the reduction of recidivism are so quintessential to the program's success.

The debate over whether or not teen courts reduce recidivism is ongoing, especially in regard to sentence completion being a contributing factor to recidivism. A study conducted on the Kentucky teen court program specifically looked at the link between sentence completion and recidivism rates. This study used preexisting data that was collected by site coordinators and data housed in statewide computer files. The result of data analysis indicated that 70% of referred juveniles completed their sentence with less than a 1/3 recidivism rate one year after teen court (Minor, Wells, Soderstrom, Bingham, & Williamson, 1999). While this type of outcome is a positive result for teen courts, these types of results must be found nationally in order to be of extreme significance. One teen court's success is significant, but because teen courts have become a national effort, these types of results are expected from all if not most of the courts in operation.

A more recent evaluation conducted in 2008, took an approach not commonly used when evaluating teen courts. Stickle, Connell, Wilson, & Gottfredson (2008) used an experimental design involving randomized assignment of juvenile offender cases between teen courts (treatment group) and the Department of Juvenile Services [DJS] (control group) in Maryland. With a relatively small sample (168 youths) the researchers were able to use data from 107 cases to perform statistical analysis based on random assignment. The researchers were looking at recidivism rates and the general effect that teen courts have on offenders (Stickle, et al., 2008). These researchers felt that most of the research conducted on teen courts lacks valid measures of effectiveness because of the lack of comparison between the traditional court system and diversion programs.

As such, Stickle, et al.'s (2008) research study attempts to evaluate teen courts using a more scientific approach and proper comparison groups. Their conclusions indicate that teen

courts do not reduce recidivism when compared to the DJS control group and that the teen court experience did not change participants' perceptions of the wrongfulness of illegal behavior. These findings do not favor teen courts, however, the researchers emphasize that their findings should not be generalized to all teen courts; rather, that future research, "will require experimental methods, larger samples, and greater efforts in reducing attrition" (Stickle, et al., 2008, p. 154). Although the ideas of teen courts seem reasonable, there is really no empirical basis for believing these courts will succeed.

A study conducted by Rasmussen (2004) looks at juvenile offenders who have reoffended after teen court. His study retrieved archival records of 648 youths, who participated in teen courts over an 8-year period. Rasmussen postulates to look at, "two models of recidivism, one focusing on sentence content, and another on referral source" (2004, p. 619). This study is unique because it is already anticipating recidivism among juvenile offenders and is looking for potential causes, rather than just looking for recidivism itself. Rasmussen's (2004) research indicates that by looking at sentence content and case-processing variables, risk factors for recidivism include younger age, more community service, and referral from the state's attorney's office. This type of research model is of great significance because it identifies variables which may lead to recidivism, as opposed to simply looking for recidivism itself.

When one thinks of early intervention in regard to juvenile offenders, age is the mitigating factor. Interestingly, most teen court programs are specifically tailored to the 12-17 year old age group. Some research indicates that a significant number of juveniles begin to commit crimes around 8 years old; so there is a significant gap that the teen court is not reaching. It is logical that teen courts only service a certain age group, typically a mirror image of the youths who are seen by the juvenile court, but one may postulate that the impact would be more

significant in regard to early intervention if the teen court reached this younger group of offenders.

If teen courts included cases from younger offenders, typically minor offenses, which the teen court prefers, then there might be more youths deterred from crime at a younger age. Moreover, these younger offenders, who are at a more impressionable age, may be more responsive to rehabilitative measures.

That younger age at entry into juvenile justice systems is a risk factor has been noted for some time in the delinquency literature (Ganzer & Sarason, 1973; Lueger & Cadman, 1982; Traynelis-Yurek & Giacobbe, 1988), however the implications of this finding are unclear. It may suggest that younger offenders simply have a greater window of opportunity to reoffend because of their age (Rasmussen, 2004, p. 630).

This is yet another ongoing debate in juvenile correction and rehabilitation and an ongoing issue for teen court programs when dealing with recidivism and early intervention.

## CHAPTER III

### Methodology

#### **Hypotheses**

The data set describes the juvenile offender, the offense, how the juvenile was referred, and sentence, therefore; the hypotheses for this research are as follows:

- 1) It is hypothesized that more juvenile offenders who committed multiple offenses rather than single offenses will be referred to the Monongalia County teen court.
- 2) It is hypothesized that more male juvenile offenders rather than female juvenile offenders will commit the offense of truancy.
- 3) It is hypothesized that the type of offense committed is related to the offender's age.

#### **Sample & Data Set**

The sample used for this study is taken from the records of the Monongalia County Teen Court. The sample consists of male and female juveniles ranging in age from 11-17 that have been processed by the Monongalia County Teen Court from 2002-2009. Participant offenses vary and include school related offenses, possession of illegal substances, underage consumption of alcohol and tobacco, shoplifting, truancy, runaway, destruction of property, sexual harassment, larceny, and counterfeiting.<sup>5</sup> Permission to access these juvenile records was given

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<sup>5</sup> The term truancy indicates juveniles who have skipped school, in the data set truancy and skipping school are synonymous and a matter of vernacular.

by the Coordinator of the Monongalia County Teen Court, Christopher W. Mullins.<sup>6</sup> The data set itself has been imported from its original form in Microsoft Access to Microsoft Excel for manipulation and the Statistical Package for the Social Sciences (SPSS) 17 for analysis.

The sample includes 342 cases, which have been broken down by offense. Some of the cases include more than one offense allowing the data set to reflect 439 offenses, which were used for analysis. The offenses were broken down by commonalities into six categories for statistical analysis. The researcher was unable to find another study which examines offenses as such; the groupings were created based on knowledge of the criminal justice system. The data that was collected also reflects the juveniles' experiences with the teen court; it does not reflect any pre- or post-teen court data. The teen court has been in operation since 1997; however, no data was collected prior to 2002. The data used for this analysis is the entire data set available through February 2009. There was no data available to measure recidivism rates or to compare this diversion program to the probation office; therefore, this research was exploratory in nature. Techniques of data mining were used to sort through the given data set and attempt to describe this teen court and the juveniles who were processed through it in addition to noting areas of weakness where further data collection and research would benefit the program. The researcher attempts to give a general picture of this teen court in regard to general descriptives and other analysis performed with the given data set.

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<sup>6</sup> See Appendix A for documentation granting permission to use this preexisting data set.

## CHAPTER IV

### Analysis

This research project was exploratory in nature because “the end goal of exploratory research is to gain new insights from which new hypotheses might be developed” (Jaeger & Halliday, 1998, p. S64). This research project was commissioned at the request of the Monongalia County teen court coordinator and his request was to evaluate the participant data provided and make recommendations for the future of the court. As this is the goal of this research project, exploratory research was the best choice of research techniques.

The statistical technique of data mining was used on this data set, which includes crosstabulation analysis and two-step cluster analysis. Data mining itself is a statistical technique employed when the researcher is sifting through a large amount of data in order to discover patterns, trends, and relationships. Because this research project used a preexisting data set, data mining was more than appropriate in order to determine if the data was useful and what types of relationships existed among the variables. As the analyses this researcher conducted displayed patterns and trends crosstabulation analysis was employed to confirm relationships. As the relationships between variables became evident, two-step cluster analysis was performed to determine if the variables were grouping consistently. From these groupings t-tests were used to discover if statistical significance existed.

The data set itself consists of 342 cases, which have been processed through the Monongalia County Teen Court diversion program between 2002-2009. The data was divided into individual offenses, not just the offenders; as such, there were 439 offenses analyzed and the data output reflected that number and not the original 342 cases. In order to protect the identities of the juveniles the only identifying information was the case number assigned by the teen court to each juvenile.

The data collected includes age, gender, grade in school/school the juvenile was attending, GPA, city/county of residence, who referred the juvenile to teen court, the reason the juvenile was referred, the offense they were formally charged with, date of offense, date of birth, extracurricular activities, employment status, future plans, and hobbies. Teen court experience data was collected for each juvenile offender as follows: counseling received, punishment at home/school/other, community service/hours, restitution, written essays, verbal/written apologies, jury duty, workshops, and other types of sentences by teen court.

The descriptive statistics reflect the minimum age is 11, the maximum age is 17, with an average age of 15. The minimum GPA is 0.0, maximum 4.0, with an average GPA of 2.09. The minimum grade level is 0, maximum 12th, with an average of 9th. The minimum hours of community service assigned is 0, maximum is 50, with an average of 24.07 hours. The number of words required for essays written is a minimum of 0, maximum of 5,500 and an average of 647.80 words. The offenders who are assigned to jury duty sessions as part of their punishment have a minimum of 1 session, maximum of 8 sessions, and an average of 3 sessions. These basic descriptive statistics are used to describe the variables in the data set; this will provide a better understanding of the juveniles' offenses and punishments received from the teen court (See Appendix H, Table 1).

The frequencies indicate the majority of the offenders reside in Monongalia County, WV specifically in the city of Morgantown (See Appendix H, Table 2 & 3). Additionally, these offenders attended classes in the Monongalia County school system (See Appendix H, Table 4). Though the majority of offenders are in the 9<sup>th</sup> grade a large number are also in 8<sup>th</sup> grade and 10<sup>th</sup> grade (See Appendix H, Table 5). The largest group that refers juvenile offenders to the teen court consists of various police agencies, specifically the Morgantown Police Department, Monongalia County Sheriff's Department, and West Virginia State Troopers. The second largest referring agency consists of school personnel i.e. principals, teachers, counselors (See Appendix H, Table 6 for referral occupations). The majority of offenders are male (See Appendix H, Table 7). When referral occupation is broken down by the offense they reported, the police departments referred the majority of offenses in categories two, three, four, and six; while school personnel referred the majority of offenses in category one; and there is a tie of referrals between school personnel and police departments for category five (See Appendix H, Table 13).

The offenses were grouped by commonalities into six categories. Category one consists of any school related offense; category two includes possession or underage consumption of illegal or controlled substances; category three consists of larceny, petty larceny, forgery, uttering, counterfeiting, shoplifting, and stealing; category four includes vandalism, destruction of property, trespassing, curfew violation, truancy, runaway, and trouble at home; category five includes harassment, battery, sexual harassment/assault, indecent exposure, disorderly conduct, verbal assault, inappropriate jesters, and making threats; and category six consists of driving related offenses, air guns, fireworks, and projectiles. Category three has the largest group of offenses (See Appendix H, Table 8). In this category of offenses, the majority are shoplifting

and stealing. In regard to how many offenses each offender committed, being a focus of the data analysis, the majority of offenders only committed one offense (See Appendix H, Table 9).

The crosstabulation analyses included: age by offense, gender by age for the offense of truancy, gender by GPA by offense, gender by offense, referral occupation by offense, juvenile offenders' future plans by gender, juvenile offenders' future plans by offense, gender by referral occupation for category one offenses, and gender by referral occupation for category three offenses. The age by offense analysis indicates that the majority of offenders in category one are age 15, category two are age 17, category three are age 16, category four are age 15, category five are age 13, and category six are age 17 (See Appendix H, Table 10). Some of these groupings can be explained by age, such as, category one being school offenses and category six being mostly driving related offenses. Both of these categories have a significant tie to the age of the offender as shown in table 10. Since there was significance for offense categories one and three, additional crosstabulation analysis based on gender was conducted. The results indicate that the majority of category one offenses for males are referred by school personnel and for females by the MCS Safe Program (See Appendix H, Table 16).<sup>7</sup> Additionally, for category three offenses the majority of males and females are referred by police departments (See Appendix H, Table 17).

The gender by age crosstabulation for the offense of truancy indicates that all juveniles who committed the offense of truancy were female and the majority of those females are age 17 (See Appendix H, Table 11). The majority of male offenders carry a 2.0 GPA and the majority of female offenders carry a 0.0 GPA as indicated in the gender by GPA by offense

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<sup>7</sup> SAFE or MCS Safe is an educational program that students must attend for part of their suspension, which includes attending 9 evening classes. It teaches about drugs and alcohol and all of the negative consequences associated with them.

crosstabulation.<sup>8</sup> Also, the majority of males commit category one offenses and the majority of females commit category three offenses (See Appendix H, Table 12).

Additional crosstabulation analysis of the juvenile offenders' gender and future plans indicated that male juvenile offenders prefer college or a specific blue collar job, while female juvenile offenders prefer a specific white-collar job or college. Interestingly, the female juvenile offenders who are choosing a white-collar job do not note the need for college prior to achieving that career goal (See Appendix H, Table 14). After noticing this interesting tie between gender and future plans, the researcher also ran a crosstabulation for juvenile's future plans by offense. The results indicate that juvenile offenders who committed category one and five offenses chose a specific blue collar job; those who committed a category six offense chose college; and those who committed a category two, three, or four offense chose a specific white-collar job (See Appendix H, Table 15). If this teen court chooses to collect pre and post court data it will allow a future study to be conducted, which may indicate the reasons behind these future plan choices.

The two-step clusters were essential to understanding how the data set would separate into two groups and if this separation would be consistent. Over the course of six different two-step clusters (of which the categorical and continuous data entry was randomized) the data continued to separate into the two clusters the same way each time, with only a few exceptions (See Appendix H, Figure 1 & 2). The first three clusters used randomized categorical data, but the same order for the continuous data. The continuous data were: Age, Grade, GPA, Jury Duty, Essay Word Count, and Community Service Hours. This order was used the first three times because Age, Grade, and GPA are closely related variables. However, for the sake of ensuring

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<sup>8</sup> The researcher chose to not include this table for space considerations, because the two crosstabulations used for this analysis total 17 pages.

this was not the sole reason for the pattern of clusters, the last three clusters also had randomized continuous data, with Age, Grade, and GPA still closely entered.

The result of these six two-step clusters consistently grouped the younger offenders (age 11-14) and the older offenders (age 15-17) together (See Appendix H, Figures 3-5). The separation between the two groups of younger and older offenders is consistent from the offenses, punishments, individuals who referred the juvenile, future plans, extracurricular activities, and employment. One might assume there is not a significant difference between youths aged 14 to 15 and therefore age should not be the deciding factor; however, this research suggests otherwise.

The two independent t-test analyses of age as a dependent variable and referral occupation (school, police) and offense (category one & three) resulted in statistically significant differences between the two groupings based on age (See Appendix H, Table 18 &19). The t-test analysis was used to determine if the clustering's in the two-step cluster analysis were significant based solely on age. Both independent t-tests use an alpha level of .05.

The first test on referral occupation had assumed equality of variances based on the Levene's Test (sig. .928), the  $t = 3.092$ ,  $df = 242$ , and the p-value is .002, therefore there is a significant difference between referral agencies, based on age.

The second independent t-test on offenses did not have assumed equality of variances based on the Levene's Test (sig. .039), the  $t = 5.963$ ,  $df = 202.684$ , and the p-value is .000, therefore there is a significant difference between offenses, based on age. The most significant finding of the independent t-test analyses is the difference between offenses, based on age. This finding deserves further inquiry more so than the first independent t-test because the significance level for this test is more accurate than the first significance level.

## CHAPTER V

### Discussion

“One of the most basic concepts in any evaluation is an assessment of the program’s mission statement: What does the program propose to do?” (Harrison, et al., 2001, p. 261). The mission statement of the Monongalia County teen court, “allows teens to be held accountable for their own actions by completing consequences. The program provides an educational awareness of good citizenship and the criminal justice system” (Mullins, 2009, p. 1). Thus far the Monongalia County teen court is fulfilling its mission statement by working with youth volunteers and juvenile offenders in the community.

The differences noted by the independent t-tests and the two-step cluster analyses are significantly tied to age particularly in relation to how the juveniles are referred to the teen court and what type of offenses the juveniles committed. This tie between age and referral/offense shows a barrier between juveniles aged 14-15. Most people will argue that there is no significant difference between 14 year-old and 15 year-old juvenile offenders; however, this data set proves that there is a difference. The significance level of the independent t-test for age and type of offense merits further inquiry. Since the data set was preexisting, the researcher cannot do

additional testing to determine why there is a difference. The researcher will recommend that this teen court collect additional information and conduct more statistical analysis in order to gain a greater understanding of this age factor in order to find out the reason for it and if it is a significant factor in juvenile delinquency for this community.

### **Limitations of the Study**

This study is limited by the preexisting nature of the data set because the researcher did not collect the data first hand; the only measurements that could be taken were specifically tied to the information available. Secondary data is helpful in understanding a diversion program on a very basic level, but will not produce answers to questions involving information that has not been obtained. The researcher must also note issues of consistency throughout the data set. The data entry was conducted by multiple interns and there were several instances where the same information was entered different ways, which created minor problems when running statistical analysis.

Additionally, the study's findings are limited to the population of juveniles who were given the opportunity to participate and be sentenced through the Monongalia County teen court. Since the teen court is selective in the juveniles who may participate in the program, this sample may not be truly reflective of the population of juvenile offenders living in Monongalia County. The data set is considered a sample; however, because the findings are reflective of the population of juvenile offenders in other teen court programs throughout the country.

### **Conclusions**

This exploratory research effort's goal was to quantify the juvenile offenders who have participated in the Monongalia County teen court program. The researcher was asked by the teen court coordinator to illustrate the types of juveniles who are participating in the teen court program. In addition to this request the researcher was asked to evaluate the teen court based on the data available and make recommendations that will improve the courts operations and impact on the community. The conclusions that are drawn from this research project indicate that the Monongalia County teen court is reaching its target audience in the community. Specifically, this teen court is providing a diversion program that offers troubled youths a second chance.

The suggestions that are offered with this evaluation include:

- The creation of an entrance and exit survey for juvenile offenders and their parents in order to obtain feedback on the impressions the court leaves on participants.
- The creation of a survey instrument for volunteers (adult and youth) to measure the effectiveness of their teen court training.
- The creation of an exit survey that can be administered to teen court participants at varying intervals (i.e.- six months, one year, two years) in order to measure recidivism rates.
- The creation of a uniform database to house the records of the teen court and the probation office in order to make comparisons between the two programs.
- Forging more positive relationships between the teen court and probation office in order to increase the caseload for the teen court and allow juvenile offenders who are qualified candidates to participate more regularly. Which will in turn lighten the caseload for the probation office.

- Allow more public relations (PR) to better communicate with the community thus creating a presence for the teen court in the community and more significant relationships.

These suggestions potentially require additional funding and staffing for the teen court.

However, if these suggestions are implemented this teen court will have a greater impact on the community and juvenile offenders. Additionally, if the teen court collects more extensive data, future research efforts will be able to produce a more accurate and potentially statistically significant report on this court's impact.

Teen court diversion programs have a bright and promising future. The statistical evidence that these programs are effective is encouraging. Though research studies exist which show the weaknesses of the programs, if this research is taken as corrective criticism and applied to current program models, it will add to the success and proliferation of this diversion program. As more teen courts are established and interest grows, there will be a need for more in-depth research. The most important research areas are exit surveys, recidivism rates, and a comparison to traditional juvenile court (probation) programs. These three areas of research, once fully explored, will give a better picture of teen courts. It is necessary for the future of teen courts to know how well they work in comparison to traditional programs, in order to validate their existence as an alternative to traditional sanctions.

“Juvenile justice professionals must make well-reasoned judgments about two key issues: the risk of future harm to the community posed by an adolescent and how likely that adolescent is to benefit from interventions” (Mulvey & Iselin, 2008, p. 37). This is the reality of dealing with juvenile offenders. Everyday criminal justice professionals are expected to decide what is best for these youths. It is teen courts that lighten the workload for the traditional courts and

additionally allow these juvenile offenders a second chance. This is not just a second chance for juveniles; it is also a learning experience for the youth volunteers and a positive addition to the community (Pearson & Jurich, 2005).

According to the 2008 National Data Collection Project, the average teen court accepts 89.6% of referred cases, of which 96.6% proceed with teen court, resulting in 86.3% completion rates of the imposed sentence (Peterson, 2008). These numbers allude to a diversion program that is nationally successful. Though there are areas of needed improvement, the 40 years of success that teen courts bring with them argues for an effective alternative sentencing method. Juvenile offenders will always be a major concern for the criminal justice system, schools, parents, and the communities in which these youths reside; however, having teen courts available as a teaching tool and corrective measure is a tremendous asset.

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Appendix A: Letter Granting Permission to Use Monongalia County Teen Court  
Data Set for Analysis

**Monongalia County Teen Court**  
**265 Spruce St. Room 116**  
**Morgantown, WV 26505**  
**(304) 292-1236**  
**Email: MonTeenCourt@hotmail.com**



Date: November 16, 2009

To Whom It May Concern:

Pam Wilson has the permission of the Board of Directors of the Monongalia County Teen Court to use the data provided to complete an analysis of the provided Teen Court data. This goes with the understanding that all names and identifying information of the juvenile offenders will be kept confidential.

Handwritten signature of Christopher W. Mullins in cursive.

Christopher W. Mullins  
Monongalia County  
Teen Court Coordinator  
265 Spruce St. Room 116  
Morgantown, WV 26505  
(304)292-1236

## Appendix B: Monongalia County Teen Court Overview

### Teen Court

#### Mission:

Teen Court allows teens to be held accountable for their own actions by completing consequences. The program provides an educational awareness of good citizenship and the criminal justice system.

Teen Court is a legally binding alternative system of justice that offers young offenders opportunities to take responsibility for the offense through community service, essays, apologies and jury duties. The cases heard at Teen Court are real cases and have real criminal offenders tried by the Court. Teenagers are given the opportunity to learn about the legal system first hand through Teen Court, by acting as attorneys, clerks and jury members.

A teen that chooses to have his/her case heard by Teen Court will be defended and prosecuted by volunteer teens. The members of the jury that choose the disposition of the case are comprised of volunteers and/or former juvenile offenders who are serving Court Ordered jury duties

#### **Relationship with court system, probation, schools, community agencies:**

Teen court serves as an alternative to the traditional court system. This allows cases to be heard and dispositions completed much faster than the traditional juvenile justice system. Teen court works closely with the Monongalia County Probation office and Monongalia County schools. Every teen court respondent is required to complete between 16 and 40 hours of community service. This community service is done at various agencies throughout the community.

#### **How teen court receives cases:**

Juvenile referrals can be filled out by parents, schools, police, or anyone else in the community. Once the probation office receives a referral, it is screened for previous criminal activity and appropriateness for teen court. If the case is deemed teen court appropriate, it is given to the teen court coordinator. The teen court coordinator makes contact with the family and explains the options of having the case heard by teen court, or going through the traditional juvenile justice system. If the family agrees to have the case heard by teen court and the respondent will plead “no contest” to the charges, then the coordinator meets with the family. At that time the hearing is scheduled. Usually, the hearings are within 2 weeks of this initial meeting.

**How teen court works:**

Teen Court hearings are hearings run by peers. The cases are argued and decided by juveniles. At a Teen Court hearing, the Prosecution and Defense Counsels, Jurors, and Clerk are all teenagers between the ages of 12 and 17 years old. Adult participation at a hearing is limited to those mentoring both counsels, and the Judge. All arguments and decisions at Teen Court are made by the teens themselves.

**Sentencing:**

Community service is the first option that the teen jury has for the disposition. Every teen court defendant is required to complete 16 to 40 hours of community service. This is completed by working at non-profit businesses, giving time for fund raising efforts, and working in the community. Essays related to the offense are another option. The teen jury decides the topic and the number of words required for the essay. Verbal or written apologies are used when a clear victim is indicated at the trial. Jury duty is another mandatory requirement for all teen court respondents. Every juror is required to participate in 2 hearings as a jury member. The jury can add up to 6 extra hearings to this requirement. The hope is that by viewing the criminal activities of their peers, the teens will learn from other's mistakes. Counseling is also part of the teen court process. If the jury feels that counseling is necessary for drug/alcohol use, anger management, or any other purpose, they can make it part of the disposition. The length of counseling is left to the counselors. Finally, the teen court jury has the "other" option as part of the disposition. This is for any creative sentences the jury may think up. Things like attending alcoholics/narcotics anonymous meetings, creating poster boards, and writing or summarizing the laws/rules broken by hand are some examples of the creative sentences that the teen court juries have created.

Once the jury has unanimously decided on this disposition, then the respondent has 3 months to complete the sentence. Once this sentence is completed, the record of the respondent is cleared of this crime.

**Who is served by teen court:**

From 2002-2007, the Monongalia County teen court has heard 327 cases. The major crimes that teen court deals with are possession of marijuana, underage possession/consumption of alcohol and shoplifting. Other cases that teen court handles are battery, curfew violations, underage tobacco possession, and vandalism.

At the teen court hearings, there are between 6 and 12 jury members. The jury is made up of volunteers and respondents who are completing jury duty as part of their sentences.

**Financial Support:**

Financial support for the Monongalia County teen court is provided by West Virginia Senate bill 114. In this bill it allows for counties, and cities to fund a teen court program by adding \$5 to the court costs incurred for felonies and misdemeanors in that county. This bill is allowing for the growth of teen court programs throughout West Virginia. There are many counties in West Virginia that are in the developmental stages of beginning their own teen courts.

The advisory board for the Monongalia County teen court is made up of the following:

- 1) Board of Education;
- 2) Law enforcement;
- 3) Magistrate;
- 4) Circuit Judge;
- 5) Department of Health and Human Resources;
- 6) County Commission;
- 7) Social Service organization;
- 8) Probation;
- 9) Prosecutor;
- 10) Victim representative;
- 11) Bar Association;
- 12) Student Volunteer;
- 13) Parent;
- 14) Members of general public;
- 15) State and/or City officials.

**Monongalia County Teen Court Bylaws-**

**Article I – Name and purpose**

**Section 1- Name** - The name of this non-profit organization shall be the Monongalia County Teen Court.

**Section 2- Office** - The office of the Monongalia County Teen Court shall be located at 265 Spruce Street, Room 116, Morgantown, West Virginia 26505.

**Section 3- Purpose** - Teen Court is a legally binding alternative system of justice that offers young offenders opportunities to take responsibility for the offense. The cases heard at Teen Court are real cases and have real criminal offenders tried by the Court. Teenagers are given the opportunity to learn about the legal system first hand through Teen Court, by acting as attorneys, clerks and jury members. The program provides an educational awareness of good citizenship and the criminal justice system

The members of the jury that choose the disposition of the case are comprised of volunteers and/or former juvenile offenders who are serving Court Ordered jury duties.

**Section 4- Partnership** - Monongalia County Teen Court is a cooperative arrangement between the following entities of Monongalia County: the Court System, the Prosecutor's Office, Board of Education, the Bar Association, West Virginia Department of Health and Human Resources, the Probation office, Monongalia County Commission, and the community.

**Article II- Board of Directors**

**Section 1-Authority** -The governing body of the Monongalia County Teen Court shall be a self-perpetuating Board of Directors.

**Section 2-Composition** - The Board of Directors shall consist of no fewer than nine(9) and no more than seventeen (17) members, including the four officers. The Board of Directors shall consist of duly nominated and elected adult residents of Monongalia County or surrounding areas, and reflect the diversity of the community that we serve. The following offices and/or stakeholders should be represented on the Board of Directors:

- 16) Board of Education;
- 17) Law enforcement;
- 18) Magistrate;
- 19) Circuit Judge;
- 20) Department of Health and Human Resources;
- 21) County Commission;
- 22) Social Service organization;
- 23) Probation;
- 24) Prosecutor;
- 25) Victim representative;
- 26) Bar Association;
- 27) Student Volunteer;
- 28) Parent;
- 29) Members of general public;
- 30) State and/or City officials.

**Section 3-Duties** - The Board of Directors is responsible for the overall policy and direction of the Monongalia County Teen Court and the Board delegates responsibility for day to day operations and, program development to the Teen Court Coordinator (per article V). Specifically, the Board of Directors will be responsible for the following tasks:

- a) Determine the organization's mission and purpose;
- b) Nominate and elect members and officers as set forth in these bylaws;
- c) Approve employment, discipline, and termination of staff personnel;
- d) Actively support the mission of Teen Court;
- e) Ensure effective organizational planning and policies;
- f) Ensure adequate resources;
- g) Manage resources effectively;
- h) Monitor and advise about the organizations programs and services;
- i) Ensure that all affairs of the Monongalia County Teen Court are conducted in compliance with Federal, State and Local laws;
- j) Enhance the organizations public image;

- k) Give final approval on the budget upon the recommendation of the finance committee;
- l) Assess it's own performance .

Each director is strongly encouraged to serve on at least one committee and attend at least one Teen Court trial.

**Section 4-Meetings** - The Board of Directors shall meet at least every other month at the probation office conference room unless other arrangements are made.

**Section 5- Rules of Operation** - The Board of Directors shall attempt to operate by consensus. However, decisions may be made by a majority vote of those present if a quorum has been established. A quorum of the Board will be considered to be one person over 50% of the Board of Directors (or of the committee if it is a committee meeting). A quorum must be present before business can be transacted or motions made or passed. Meetings of the Board of Directors and the committees of this organization shall be conducted according to the rules for parliamentary procedure as set forth in the Revised Edition of Robert's Rules of Order except to the extent that the provision of these bylaws are to the contrary.

**Section 6-Voting** - Each director shall have one vote, which may be exercised in person, , or by written proxy, at Board meetings. In unforeseen circumstances where a quorum is not present at a Board meeting or executive committee meeting, at the discretion of the president votes may be solicited by telephone or email. Telephone or email solicitation of votes can only be conducted if a bona fide attempt is made to obtain a vote from every director or executive committee member.

**Section 7- Terms** - Directors shall be elected for two-year terms. For the initial term of office, one half of the Board of Directors shall serve one year terms and one half shall serve two year terms. The names serving for the differing terms shall be determined by lot. Board members may serve no more than three consecutive terms. Full terms shall begin at the first full Board meeting of even years and expire prior to the first full Board meeting of even years, with the exception of the first year. The first term of the Board of Directors under these bylaws will begin at the first full Board meeting in September, 2006 and expire at the beginning of the first Board meeting in 2008. The initial Board of Directors shall be appointed by the Chief Judge of the Circuit court, subject to the approval of the County Commission and the Board of Education.

**Section 8-Elections/Vacancies** - Election of new Directors shall take place prior to the first meeting of even calendar years, with the exception of the first year, fiscal year 2006. Pursuant to Article IV, section 7 of these bylaws, a slate of officers and Directors will be proposed by a Nominating Committee and voted on by the Acting Board prior to September 1, 2006. During subsequent odd years when terms are ending, this same process (nominating committee and vote of entire Board) will be utilized for perpetuation of the Board. In the event of a vacancy, proposed candidates can be nominated at any regular meeting of the Board. An election will be held at that meeting or at a subsequent Board meeting.

**Section 9- Resignations** - A Coordinator may resign at any time by giving written notice to the president of the Board. Unless otherwise specified in the notice, the resignation shall take effect upon receipt, and acceptance of the resignation shall not be necessary to make it effective.

**Section 10- Board Member's Removal** - The Board may, for whatever reason, remove a member from the Board of Directors whenever it is in the Board's judgment that the best interests of the organization will be served by the removal. The individual must be notified in writing of the Board's proposed action and be given an opportunity to be heard prior to the Board acting upon the removal. A director may be removed after missing three consecutive full Board meetings, by following the above procedure.

**Section 11- Conflicts of interest** - All Directors and officers of the Monongalia County Teen Court are required to disclose any financial interests or other conflicts that relate to the agency. In a case where action by the Board of Directors could or potentially would affect the personal, financial, or legal interests of a director, that member shall abstain from voting and from attempting to influence the vote of any other director.

**Section 12- Compensation** - No director shall receive compensation for the services to the organization as a director, but may be entitled to reimbursement for actual expenses incurred on behalf of the organization, provided that such reimbursement is approved by the Board of Directors.

### **Article III- Officers**

**Section 1- Titles** - The officers of the organization shall be a President, a Vice President, a Secretary and a Treasurer. The officers shall be elected from the existing Board of Directors.

**Section 2- Election and Term** - The initial officers shall be elected by and from the Acting Board of Directors at the last meeting of the acting Board of Directors prior to September 1, 2006. Each term thereafter, the officers shall be elected at the last full Board meeting of odd calendar years. Elected officers shall serve for a term of two years. The term for the initial officers will extend from July 2006 until the first full Board meeting of the 2008 calendar year. No officer may serve for longer than two consecutive terms in the same office.

**Section 3- Duties of officers** – The Board of Directors shall elect the following officers to perform their respective duties:

- a) President- The president shall be the executive officer of the organization and is the primary person to whom the Teen Court Coordinator and any other staff are accountable. The president shall also preside at the full meeting of the Board of Directors and the executive committee; work with the program director to establish an agenda for full Board meetings and executive committee meetings; after soliciting the entire board of directors, appoint chairpersons and members of committees in collaboration with the executive committee; appoint ad hoc committees as deemed necessary; serve as an ex-officio member of all committees; partner with the Teen Court Coordinator in achieving the organization's mission; guide and mediate Board actions with respect to organizational priorities and governance concerns; serve as a spokesperson for the Monongalia County Teen Court and perform other such duties as may pertain to the office of the president.
- b) Vice President- The vice president shall assist the president, and in the absence of the president, perform the duties of the office; shall preside over one or more committees; and perform whatever duties are assigned to him/her by the president.
- c) Secretary- The secretary shall be responsible for preparing, editing and distributing minutes of the full Board of Directors meeting, executive committee meetings and general community meetings; and keep a record of all essential documents including articles of incorporation and bylaws, agendas, minutes, attachments. The secretary shall also maintain a list of Board members, their terms and contact information, their attendance and committee assignments. Further, the secretary shall be responsible for notifying and/or reminding Directors of upcoming Board meetings if possible ten days prior to each meeting. This task may be delegated to the Teen Court Coordinator.
- d) Treasurer- The treasurer shall be responsible for overseeing in conjunction with the Teen Court Coordinator, the fiscal management of the Monongalia County Teen Court; present financial reports to the Board of Directors and serve as the chairperson of the finance committee.

**Section 4- Vacancies** - Vacancies in any of the offices shall be filled by election as set forth in these bylaws at any regularly scheduled full Board meeting. Any person who fills a vacancy for an officer shall serve the remainder of the term.

### **Article IV- Committees**

**Section 1- Overview** - There will be five standing committees: Executive, Finance, Personnel, Protocol and Procedures, and Community Education. Each committee will have a Chair and a minimum of three Board members; the Teen Court Coordinator will serve as a non-voting member of each committee. In addition, a Nominating Committee will be appointed in advance of the expiration of the terms of the officers and Board of Directors. Ad hoc committees may be created as necessary. Reports from committee meetings will be presented in writing to the full Board for their information and/or approval.

**Section 2- Executive Committee** - The executive committee shall be composed of the president, vice president, secretary and treasurer. The executive committee shall meet between meetings as needed to monitor the activities of Teen Court with the Program Coordinator, unless personnel matters involving the Teen Court Coordinator are being discussed. The responsibilities of the executive committee shall be:

- a) to transact all business requiring immediate attention between regular Board meetings;
- b) to review and approve all appointments to committees;
- c) to recommend consultants to the Board for the conduct of any legal or other business matter of the organization;
- d) to meet with the Teen Court Coordinator when appropriate to review and evaluate operations of the agency and advise the program director when necessary on such operations; and
- e) to collaborate with the Teen Court Coordinator on developing and implementing a long term strategic plan to be approved by the Board of Directors.

**Section 3- Finance Committee** - The finance committee shall be chaired by the treasurer. The finance committee shall meet with the Teen Court Coordinator before each full Board meeting to prepare a financial report to present to the Board of Directors. The responsibilities of the finance committee shall be:

- a) to periodically review the expenditure receipts, assets, liabilities and cash flow of the organization, and recommend any action it deems necessary to the executive committee and the Board of Directors;
- b) to review and make recommendation concerning the financial policies of the organization and the investment of the organizations funds
- c) to assist the Teen Court Coordinator in preparing a draft of the annual budget for submission to the Board of Directors for approval.
- d)

**Section 4- Personnel Committee** - The personnel committee shall be chaired by the vice president. This committee will meet as needed, and can be convened at the request of the members of the committee, the president, or the Teen Court Coordinator. The responsibilities of the personnel committee shall be:

- a) to conduct a performance evaluation of the Teen Court Coordinator at least annually;
- b) to make recommendations to the Board of Directors for employment, discipline, or termination of staff;
- c) To work with the Teen Court Coordinator to develop and review personnel policies as well as employee and volunteer job description for Board approval;
- d) To work with the Teen Court Coordinator to identify the need for new staff and obtain Board approval to create new positions;
- e) To review employee salaries and benefits and recommend to the fianance committee a budget for employee compensation;
- f) To advise the Teen Court Coordinator when necessary with regard to recruitment employment, assignment, evaluation, and termination of employees.

**Section 5-Protocol/Procedure Committee** - The Protocol/Procedure committee shall be chaired by a Board member or officer. This committee will meet as needed and can be convened at the request of the members of the committee, the president, or the Teen Court Coordinator. The responsibilities of the Protocol/Procedure committee shall be:

- a) to identify community needs and program opportunities to fulfill or enhance it's mission of service;
- b) to annually evaluate the organization's programs and services and recommend changes when necessary;
- c) to collaborate with the Teen Court coordinator on developing and maintaining a long term strategic plan for the programs and services of the organization.
- d) To propose standards for collaboration between partners and stakeholders and other rules and regulation as needed for the Board's approval.

**Section 6- Community Education Committee** - In collaboration with the Teen Court Coordinator, this committee, which may be chaired by a Board member or officer, will educate the community about Teen Court and its function in the legal system. This committee will arrange and supervise mock hearings as needed to gain community support

and awareness of Teen Court. This committee will create, distribute and periodically update information to the public about Teen Court , via pamphlets, websites, etc.; this committee will also maintain regular communications with stakeholder groups and the media to continuously raise awareness and update the community about Teen Court activities. It is critical for members of this committee to have attended actual Teen Court hearings. This committee is also responsible for orientation of new members of the Board of Directors.

**Section 7 – Nominating Committee** – Prior to the selection of the first Board of Directors under these bylaws, the Nominating Committee shall be composed of the Acting President of Teen Court and the Chairs of the three acting subcommittees: Finance, Personnel and Protocol/Procedures. This Nominating Committee shall review the criteria for membership on the Board and solicit names of persons who are interested in serving as Board members and officers for a term beginning at the first full meeting after September 1, 2006. The Nominating Committee shall propose a slate of officers and Directors to be voted on by the Acting Board of Directors at a meeting prior to August 1, 2006. Persons may be nominated from the floor in addition to those proposed by the Nominating Committee. The slate of officers approved by the Board of Directors shall be submitted to the Circuit Court as per Article II section 7 of these bylaws.

Following the election of the officers and Board of Directors under these bylaws, the Executive Committee will appoint a Nominating Committee no later than September of odd numbered years. The Nominating Committee so appointed will proceed as explained above to solicit names and propose a slate of officers and Directors for election by the Board of Directors prior to the first full meeting after January 1, 2007 of even numbered years.

### **Article V- Teen Court Coordinator**

**Section 1-Responsibility** - The Teen Court Coordinator shall be responsible for the administration of the Monongalia County Teen Court and its activities according to established policies and plans. In collaboration with the Teen Court Coordinator, the Board will make decisions regarding the long-term business and program plans for the agency. The Teen Court Coordinator will be responsible for making the day-to-day decisions necessary to put these plans into action.

**Section 2- Authority** - The day-to-day operations and program development of the Monongalia County Teen Court shall be under the direction of the Teen Court Coordinator. The Teen Court Coordinator shall have the power to supervise staff based on established

personnel policies approved by the Board . The Teen Court Coordinator shall work closely with and be answerable to the President and the Executive Committee of the Board, and shall attend and report at every meeting of the Board of Directors, executive committee, and other committee meetings as appropriate.

**Section 3- Evaluation** - The Teen Court Coordinator shall be evaluated in writing

at least annually by the Board of Directors. The Personnel committee will have the primary responsibility for formulating this evaluation, which shall be reviewed and discussed with the executive committee and the Teen Court Coordinator prior to presentation to the Board of Directors.

### **Article VI- Fiscal Matters**

**Section 1- Fiscal Year** - The fiscal year of the Monongalia County Teen Court shall begin on July 1<sup>st</sup> and shall end on June 30<sup>th</sup> of the following year unless otherwise designated by the Board.

**Section 2-Fiscal Agent** - Monongalia County shall act as the fiscal agent for Monongalia County Teen Court.

**Section 3- Funds** - The Board of Directors authorizes the Teen Court Coordinator to make purchases, track funds, and manage assets for the Monongalia County Teen Court as outlined in the annual budget and fiscal policies approved by the Finance Committee and Board of Directors. An outside agency may be designated to assist with the management, tracking, and distribution of any grants received.

**Section 4- Audit** - The financial records of the Monongalia County Teen Court shall be audited on a yearly basis. A copy of the audit shall be provided to every member of the Board of Directors.

**Section 5- Loans** - No loan shall be contracted on behalf of Teen Court, and no evidence of indebtedness shall be issued in it's name, unless recommended by the Finance Committee and authorized by a majority vote of the Board.

**Section 6- Contracts** - The Board of Directors authorizes the Teen Court Coordinator on behalf of Teen Court to enter into contracts with outside providers or rental agents that have been approved by the Board of Directors.

**Section 7- Revenues** - Teen Court may solicit and receive revenue from any source as may be permitted by law so long as such revenue is used only to effectuate the purposes of the agency. These sources of revenue may include, but are not limited to donations, gifts, and grants from private and public foundation and governmental units.

**Section 8- Insurance** - Monongalia County shall provide liability insurance and professional insurance coverage(when appropriate) for the Board of Directors, employee/staff, programs, property, and facilities.

### **Article VII- Amendments**

**Amendments** - These bylaws, in whole or part may be amended or repealed by a two-thirds vote of the Board of Directors, provided that notice and copies of the proposed amendment have been mailed to the Directors at least ten days prior to the meeting to review the matter.

Appendix D: Monongalia County Teen Court Intake Form



**School Attending:** \_\_\_\_\_ **Grade:** \_\_\_\_\_

**Grades Received:**

\_\_\_\_\_

**In School/Out of School Activities:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Employment:**

\_\_\_\_\_

\_\_\_\_\_

**Future Plans:**

\_\_\_\_\_

**Hobbies:**

\_\_\_\_\_

\_\_\_\_\_

**Counseling:**

\_\_\_\_\_

**Punishments:**

**Home:** \_\_\_\_\_

\_\_\_\_\_

**School:** \_\_\_\_\_

\_\_\_\_\_

**Other:** \_\_\_\_\_

\_\_\_\_\_

**Special Notes:** \_\_\_\_\_

\_\_\_\_\_

Appendix E: Monongalia County Community Service Sentencing Guidelines

**Monongalia County Teen Court**  
**265 Spruce St. Room 116**  
**Morgantown, WV 26505**  
**(304) 292-1236**  
**Email: MonTeenCourt@hotmail.com**



**Community Service Sentencing Grid**

*(Note: This sentencing grid is to be used as a tool to assist the jury in determining the appropriate sentence.)*

<p><b>Minimum 16 Hours</b></p>	<p><b><u>VANDALISM:</u></b> That to which does not necessitate restitution (unless specified, cleanup is not included in the hours assigned.)  <b><u>CURFEW VIOLATION:</u></b> 1<sup>st</sup> Offense  <b><u>MINOR BATTERY:</u></b> e.g. Fist fights that have not caused serious harm to the victim.</p>
<p><b>17-22 Hours</b></p>	<p><b><u>UNDERAGE CONSUMPTION OF ALCOHOL:</u></b> Depending on severity.  <b><u>UNDERAGE POSSESSION/DISTRIBUTION OF ALCOHOL:</u></b> Depending on severity and amount.  <b><u>JOYRIDING:</u></b> Offenders under the age of 16 years.  <b><u>REOCCURING CURFEW VIOLATIONS:</u></b></p>
<p><b>23-28 Hours</b></p>	<p><b><u>PUBLIC INTOXICATION:</u></b> Depending on severity.  <b><u>UNDERAGE CONSUMPTION OF ALCOHOL</u></b>  <b><u>UNDERAGE POSSESSION/DISTRIBUTION OF ALCOHOL</u></b>  <b><u>UNDERAGE POSSESSION OF TOBACCO</u></b>  <b><u>POSSESSION OF DRUG PARAPHANELIA:</u></b> includes lighters, matches, pipes, rolling papers, etc.  <b><u>DESTRUCTION OF PROPERTY:</u></b> Depending on severity and amount of monetary damage. (\$100.00 or above)  <b><u>SHOPLIFTING</u></b></p>
<p><b>29-34 Hours</b></p>	<p><b><u>POSSESSION OF A CONTROLLED SUBSTANCE:</u></b> e.g. Marijuana, prescription pills, or any pills on school property.</p>
<p><b>35-40 Hours</b></p>	<p><i>This section of the sentencing grid is to be used when the crime is viewed as more severe than the average offense.</i></p>

Appendix F: Monongalia County Teen Court Jury Verdict Form

**MONONGALIA COUNTY TEEN COURT**

The State of West Virginia  
Vs.

Date: \_\_\_\_\_

Case number: \_\_\_\_\_

**Jury Verdict Form**

- 1. ( ) \_\_\_\_\_ hours of community service.
- 2. ( ) \$\_\_\_\_\_ Restitution (monetary value to be paid to victim)
- 3. ( ) Write a \_\_\_\_\_ word essay concerning the offense entitled:  
\_\_\_\_\_
- 4. ( ) Write an apology letter to \_\_\_\_\_  
with a minimum of \_\_\_\_\_ words.
- 5. ( ) Verbally apologize to \_\_\_\_\_.
- 6. ( \* ) **MANDATORY**- Serve as a Teen Court juror during one (1)  
night of hearings. (There are 2 hearings per night at Teen Court.)
- 7. ( ) Attend \_\_\_\_\_ nights of additional jury duties. (max. 3 nights)
- 8. ( ) Attend \_\_\_\_\_ educational workshops/sessions to be set up  
by the coordinator.
- 9. ( ) Other: \_\_\_\_\_

**Explanatory Statement:** (Tell the defendant why you assigned him/her this sentence.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*Note: You are advised that you will retire to the jury room and select a foreperson. You will then proceed by determining your recommendation (it must be unanimous). Be creative with your disposition-including the victim's rights. Create the disposition using the holistic approach. Once the form is complete, let the clerk know by knocking on the door of the jury room. Give the judge this form when you return to the courtroom. All questions should be addressed to the coordinator or to the clerk.

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
TEEN COURT FOREPERSON

## Appendix G: The 2008 National Data Collection Project Power Point

### **The 2008 National Data Collection Project**

The largest, most comprehensive and most current National Data Collection project ever completed.

Youth Court, Teen Court, Peer Court, Student Court and Youth Peer Panels

[Scott.Peterson@GlobalYouthJustice.org](mailto:Scott.Peterson@GlobalYouthJustice.org)

President and Founder Global Youth Justice

### **Data compiled by George Washington University – The Hamilton Fish Institute**

Hundreds of local programs across America completed surveys adding to the validity of this national statistical report and the key findings.

### **Work Load Average Youth Court**

Referrals from 116.703 cases

Accepted 104.634 cases

Of the accepted cases 100.782 proceeded in their program

Of the cases that proceeded 87.908 youth completed their sentence

The youth who completed their sentence served a total of 1,734.771 hours of community service.

### **Average Court**

Accepted 89.6% of Referred Cases

Of which 96.6% proceeded into the program

Of which, 86.3% completed their imposed community service or other sentence.

### **Best Population Estimate (At Least)**

Referrals from 129,540 cases

Accepted cases totaled 116,144

Of accepted cases 111,868 proceeded in the program

Of the cases that proceeded 97,578 youth completed their sentence

The youth who completed their sentence served a total of 1,925,596 hours of community service

At the current minimum wage (\$5.85 per hour), youth courts generate about \$11,264,735 in restitution through community service.

**Volunteers Youth and Adults**

Average youth court:

120.57 volunteers during the year of the reported data

14.885 are adults

105.685 are teens

18.56 of teen volunteers are former offenders totaled 360.498 volunteer hours from adults and 1700.346 hours from teens.

Population:

133,832 volunteers

16,522 adults

117,310 teens (including 20,416 former teen offenders).

**Youth Court Experience**

7% have less than 2 years of experience

16.33% have 2 – 5 years of experience

35% have 6 – 10 years of experience

33.3 % have 11- 15 years of experience

4.33% have 16 – 20 years of experience

3.67 % have more than 20 years of experience

76.30% of youth courts have been in business for greater than 6 years.

**Youth Court Yearly Operational Budget**

30.67% are operating on less than \$10,000

15.67% are operating on \$10,000 - \$20,000

6.33% are operating on \$20,000 - \$30,000

6.67% are operating on \$30,000 - \$40,000

9.00% are operating on \$40,000 - \$50,000

6.33% are operating on \$50,000 - \$60,000

4.67% are operating on \$60,000 - \$70,000

3.67% are operating on \$70,000 - \$80,000

2.33% are operating on \$80,000 - \$90,000

2.22% are operating on \$90,000 - \$100,000

12.33% are operating on over \$100,000.

**Youth Court Staff (Average Youth Court)**

Limited number of staff

Full time staff per court is 1.06

Part time staff per court is 1.28.

Sources of Funding

Of 300 Courts in Study

177 (59%) are funded by a single source

Of those 72 (40.68%) are funded at below \$10,000 per year

126 (76.2%) are funded at below \$50,000

Of 122 programs that have multiple (2 – 5 source) funding 53(43%) are funded at above \$50,000 and 30 (26%) receive over \$80,000 per year

Defines work life of Staff.

### **Sources of Funding of 300 Courts in Study**

Makes a difference in operational outcomes

In programs not funded by an education agency the average number of teen volunteers was 88

In programs (32) funded by an education agency the average number of teen volunteers was 219.

### **Findings**

Youth courts are having a major impact on the Juvenile Justice system. (Referrals from 116,703 cases)

Youth courts have been very successful at the recruitment of teen and adult volunteers. (Youth courts have used, at least, 133,832 volunteers (16,522 adults and 117310 teens)

Youth courts can no longer be considered to be immature agencies. (76.30% of youth courts have been in business for greater than 6 years)

Youth courts may have great variability in what they are called and to some extent in their behaviors, but they are more similar than different when it comes to processing cases, bringing them through the system, imposing sanctions, and following the sanctions through to their completion. ( $p < .0001$ ).

### **Findings, continued**

Most youth courts exist on very small budgets. (68.3% below \$50,000)

Youth courts have a great deal of trouble being financially viable with only one source of funding.

Youth courts have very small numbers of employees. (1.06 full time and 1.28 part time)

Who funds the youth court seems to have a great deal of influence on the priorities of the court.

(In the programs that were not funded by an education agency the average number of teen volunteers was 88, but in the 32 (7%) that are funded by an education agency they had an average of 219.)

### **Issues of Youth Courts**

Not Studied

1. Recidivism
2. Cost
3. Race
4. Guidelines for Success
5. Quality Effective Organizations
6. Staying Power for Staff
7. Volunteerism
8. Relationship to School Safety.

**A special Thank you to**

**George Washington University.**

**For a PDF copy of this Report and/or the 2008 Report to the Nation,**

**please email Scott Peterson at [Scott.Peterson@GlobalYouthJustice.org](mailto:Scott.Peterson@GlobalYouthJustice.org)**

Appendix H: Tables and Figures Related to Statistical Analyses

<b>Table 1-- Descriptive Statistics (N = 439)</b>							
	N	Range	Minimum	Maximum	Mean	Std. Deviation	Variance
	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic
Age	439	6	11	17	14.92	1.551	2.407
GPA	439	4	0	4	2.09	1.105	1.220
Grade Level	430	12	0	12	9.32	1.968	3.873
Community Service Hours	430	50	0	50	24.07	12.176	148.246
Essay Word Count	439	5500	0	5500	647.80	728.710	531018.398
Jury Duty Sentenced	428	7	1	8	2.95	1.325	1.756

<b>Skewness</b>		
	Statistic	Std. Error
Age	-.279	.117
GPA	-.258	.117
Grade	-1.361	.118
Hours	-.447	.118
Words Code	1.901	.117
Jury Duty	.299	.118

City of Residence	Frequency	Percent	Valid Percent	Cumulative Percent
None Listed	1	.2	.2	.2
Albright	2	.5	.5	.7
Arnettsville	1	.2	.2	.9
Blacksville	4	.9	.9	1.8
Bobtown	1	.2	.2	2.1
Booth	2	.5	.5	2.5
Bruceton Mills	5	1.1	1.1	3.6
Burton	1	.2	.2	3.9
Cassville	3	.7	.7	4.6
Core	8	1.8	1.8	6.4
Dellslow	7	1.6	1.6	8.0
Everettsville	2	.5	.5	8.4
Fairmont	18	4.1	4.1	12.5
Fairview	9	2.1	2.1	14.6
Grafton	3	.7	.7	15.3
Granville	11	2.5	2.5	17.8
Hopwood	2	.5	.5	18.2
Hundred	1	.2	.2	18.5
Independence	3	.7	.7	19.1
Kingwood	4	.9	.9	20.0
Maidsville	11	2.5	2.5	22.6
Masontown	11	2.5	2.5	25.1
Morgantown	283	64.5	64.5	89.5
Mount Morris	3	.7	.7	90.2
Mt. Morris	2	.5	.5	90.7
Pentress	2	.5	.5	91.1
Point Marion	1	.2	.2	91.3
Pursglove	9	2.1	2.1	93.4
Reedsville	1	.2	.2	93.6
Rivesville	3	.7	.7	94.3
Spraggs	1	.2	.2	94.5
Star City	3	.7	.7	95.2
Tunnelton	1	.2	.2	95.4
Wadestown	6	1.4	1.4	96.8
Wana	1	.2	.2	97.0
Waynesburg	1	.2	.2	97.3
Westover	12	2.7	2.7	100.0
Total	439	100.0	100.0	

**Table 3-- County of Residence Frequencies (N = 439)**

County of Residence	Frequency	Percent	Valid Percent	Cumulative Percent
None Listed	1	.2	.2	.2
Monongalia County	365	83.1	83.1	83.4
Marion County	30	6.8	6.8	90.2
Preston County	27	6.2	6.2	96.4
Taylor County	3	.7	.7	97.0
Wetzel County	2	.5	.5	97.5
Pennsylvania	11	2.5	2.5	100.0
Total	439	100.0	100.0	

**Table 4--School of Attendance Frequencies (N = 439)**

School of Attendance	Frequency	Percent	Valid Percent	Cumulative Percent
None/Dropout	6	1.4	1.4	1.4
Monongalia County Schools	385	87.7	87.7	89.1
Marion County Schools	16	3.6	3.6	92.7
Preston County Schools	15	3.4	3.4	96.1
Taylor County Schools	2	.5	.5	96.6
PA Schools	7	1.6	1.6	98.2
GED/Homeschooled	8	1.8	1.8	100.0
Total	439	100.0	100.0	

**Table 5 – Grade Level Frequencies (N = 439)**

Grade Level	Frequency	Percent	Valid Percent	Cumulative Percent
0	15	3.4	3.4	9.1
6	7	1.6	1.6	5.0
7	52	11.8	11.8	16.9
8	72	16.4	16.4	33.3
9	87	19.8	19.8	53.1
10	86	19.6	19.6	72.7
11	58	13.2	13.2	85.9
12	62	14.1	14.1	100.0
Total	439	100.0	100.0	

**Table 6 – Referral Occupation Frequencies (N = 439)**

Referral Occupation	Frequency	Percent	Valid Percent	Cumulative Percent
None Listed	5	1.1	1.1	1.1
Principal /Assistant Principal/Counselor/Teacher	119	27.1	27.1	28.2
Morgantown Police/Officer/Sheriff/State Trooper	251	57.2	57.2	85.4
Parent /Mother	15	3.4	3.4	88.8
Store Manager	3	.7	.7	89.5
SAFE (MCS Safe Program)	46	10.5	10.5	100.0
Total	439	100.0	100.0	

**Table 7 – Gender Frequencies (N = 439)**

Gender	Frequency	Percent	Valid Percent	Cumulative Percent
Male	272	62.0	62.0	62.0
Female	167	38.0	38.0	100.0
Total	439	100.0	100.0	

**Table 8 -- Offense Frequencies (N = 439)**

Offense Category <sup>9</sup>	Frequency	Percent	Valid Percent	Cumulative Percent
One	112	25.5	25.5	25.5
Two	97	22.1	22.1	47.6
Three	132	30.1	30.1	77.7
Four	47	10.7	10.7	88.4
Five	34	7.7	7.7	96.1
Six	17	3.9	3.9	100.0
Total	439	100.0	100.0	

**Table 9 –Number of Offenses Frequencies (N = 439)**

Number of Offenses	Frequency	Percent	Valid Percent	Cumulative Percent
1	261	59.5	76.1	76.1
2	69	15.7	20.1	96.2
3	12	2.7	3.5	99.7
5	1	.2	.3	100.0
Total	343	78.1	100.0	
Missing <sup>10</sup>	System	96	21.9	
Total		439	100.0	

<sup>9</sup> Category one consists of any school related offense; category two includes possession or underage consumption of illegal or controlled substances; category three consists of larceny, petty larceny, forgery, uttering, counterfeiting, shoplifting, and stealing; category four includes vandalism, destruction of property, trespassing, curfew violation, truancy, runaway, and trouble at home; category five includes harassment, battery, sexual harassment/assault, indecent exposure, disorderly conduct, verbal assault, inappropriate jesters, and making threats; and category six consists of driving related offenses, air guns, fireworks, and projectiles.

<sup>10</sup> The missing column is simply SPSS accounting for the blanks that were left to show how many offenses each offender committed. This is not an issue of validity.

**Table 10 -- Age \* Offense Crosstabulation (N = 439)**

		Offense Category						Total
		One	Two	Three	Four	Five	Six	
Age	11	0	1	1	0	1	0	3
	12	12	4	6	3	1	2	28
	13	17	13	12	5	10	1	58
	14	24	17	27	12	4	2	86
	15	25	19	21	15	7	2	89
	16	21	17	33	7	5	4	87
	17	13	26	32	5	6	6	88
Total		112	97	132	47	34	17	439

**Table 11 – Gender \* Age for the Offense of Truancy Crosstabulation (N = 167)**

		Age							Total
		11	12	13	14	15	16	17	
Gender	Female	1	13	25	27	34	26	41	167
Total		1	13	25	27	34	26	41	167

**Table 12 -- Gender \* Offense Crosstabulation (N = 439)**

		Offense Category						Total
		One	Two	Three	Four	Five	Six	
Gender	Male	78	50	69	34	25	16	272
	Female	34	47	63	13	9	1	167
Total		112	97	132	47	34	17	439

Table 13 -- Referral Occupation * Offense Crosstabulation (N = 439)								
		Offense Category						Total
		One	Two	Three	Four	Five	Six	
Referral Occupation	None Listed	1	1	2	1	0	0	5
	Principal /Assistant Principal/ Counselor/ Teacher	55	41	3	5	14	1	119
	Morgantown Police/ Officer/ Sheriff Department/ State Trooper	14	50	121	36	14	16	251
	Parent /Mother	1	0	3	5	6	0	15
	SAFE (MCS Safe Program)	41	5	0	0	0	0	46
	Store Manager /Store Clerk-Gabriel Brothers	0	0	3	0	0	0	3
	<b>Total</b>		112	97	132	47	34	17

**Table 14 – Juvenile Offender’s Future Plans \*  
Gender Crosstabulation (N = 439)**

		Gender		Total
		Male	Female	
Future Plans	None	10	8	18
	College	76	41	117
	Vocational Training	10	11	21
	Military	17	0	17
	Specific White Collar Job	42	82	124
	Specific Blue Collar Job	75	18	93
	Professional Sports	30	0	30
	Multiple Career Options	12	7	19
<b>Total</b>		<b>272</b>	<b>167</b>	<b>439</b>

**Table 15 – Juvenile Offender’s Future Plans \* Offense Crosstabulation  
(N = 439)**

		Offense Category						Total
		One	Two	Three	Four	Five	Six	
Future Plans	None	2	5	6	4	1	0	18
	College	28	27	39	9	7	7	117
	Vocational Training	7	4	2	1	5	2	21
	Military	7	2	3	4	0	1	17
	Specific White Collar Job	26	33	42	17	5	1	124
	Specific Blue Collar Job	32	17	25	4	10	5	93
	Professional Sports	8	4	9	4	4	1	30
	Multiple Career Options	2	5	6	4	2	0	19
<b>Total</b>		<b>112</b>	<b>97</b>	<b>132</b>	<b>47</b>	<b>34</b>	<b>17</b>	<b>439</b>

<b>Table 16 -- Gender * Referral Occupation for Category One Offenses Crosstabulation (N = 112)</b>							
		Referral Occupation					Total
		None Listed	Principal/ Assistant Principal/ Counselor/ Teacher	Morgantown Police/ Officer/ Sheriff/ State Trooper	Parent/ Mother	SAFE (MCS Safe Program)	
Gender	Male	1	46	10	0	21	78
	Female	0	9	4	1	20	34
Total		1	55	14	1	41	112

<b>Symmetric Measures</b>					
		Value	Asymp. Std. Error <sup>a</sup>	Approx. T <sup>b</sup>	Approx. Sig.
Interval by Interval	Pearson's R	.333	.090	3.708	.000 <sup>c</sup>
Ordinal by Ordinal	Spearman Correlation	.333	.088	3.701	.000 <sup>c</sup>

<b>Table 17 -- Gender * Referral Occupation for Category Three Offenses Crosstabulation (N = 132)</b>							
		Referral Occupation					Total
		None Listed	Principal /Assistant Principal/ Counselor/ Teacher	Morgantown Police/Officer /Sheriff/State Trooper	Parent / Mother	Store Manager	
Gender	Male	2	1	64	1	1	69
	Female	0	2	57	2	2	63
Total		2	3	121	3	3	132

<b>Symmetric Measures</b>					
		Value	Asymp. Std. Error <sup>a</sup>	Approx. T <sup>b</sup>	Approx. Sig.
Interval by Interval	Pearson's R	.089	.080	1.021	.309 <sup>c</sup>
Ordinal by Ordinal	Spearman Correlation	.082	.085	.936	.351 <sup>c</sup>

**Table 18: First T-Test Analysis—Age \* Referral Occupation School Personnel and Police Agencies**

Group Statistics					
	Referral Occupation	N	Mean	Std. Deviation	Std. Error Mean
Age	Principal /Assistant Principal/Counselor/Teacher	119	14.19	1.648	.151
	Morgantown Police/Officer/Sheriff/State Trooper	251	15.24	1.411	.089

Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means					95% Confidence Interval of the Difference	
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	Lower	Upper
Age	Equal variances assumed	4.271	.039	-6.301	368	.000	-1.046	.166	-1.372	-.719
	Equal variances not assumed			-5.963	202.684	.000	-1.046	.175	-1.392	-.700

**Table 19: Second T-Test Analysis—Age \* Offense Categories One and Three**

Group Statistics					
	Offense Category	N	Mean	Std. Deviation	Std. Error Mean
Age	One	112	14.58	1.511	.143
	Three	132	15.18	1.517	.132

Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means					95% Confidence Interval of the Difference	
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	Lower	Upper
Age	Equal variances assumed	.008	.928	-3.092	242	.002	-.601	.195	-.985	-.218
	Equal variances not assumed			-3.093	235.911	.002	-.601	.194	-.985	-.218

Figure 1: Cluster Distribution Tables for Two-Step Cluster Analyses 1-6

<b>Cluster Distribution Two Step Cluster 1</b>				
		N	% of Combined	% of Total
Cluster	1	192	43.7%	43.7%
	2	247	56.3%	56.3%
	Combined	439	100.0%	100.0%
Total		439		100.0%

<b>Cluster Distribution Two Step Cluster 2</b>				
		N	% of Combined	% of Total
Cluster	1	192	43.7%	43.7%
	2	247	56.3%	56.3%
	Combined	439	100.0%	100.0%
Total		439		100.0%

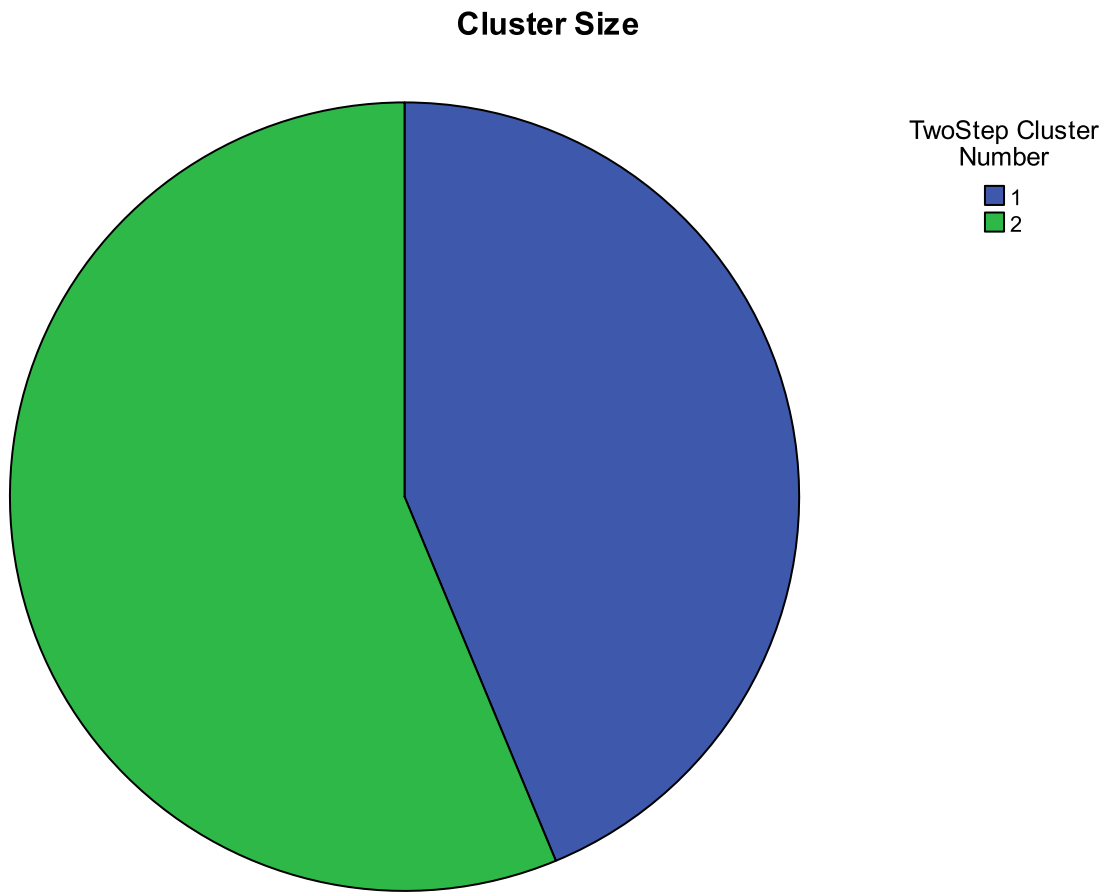
<b>Cluster Distribution Two Step Cluster 3</b>				
		N	% of Combined	% of Total
Cluster	1	192	43.7%	43.7%
	2	247	56.3%	56.3%
	Combined	439	100.0%	100.0%
Total		439		100.0%

<b>Cluster Distribution Two Step Cluster 4</b>				
		N	% of Combined	% of Total
Cluster	1	192	43.7%	43.7%
	2	247	56.3%	56.3%
	Combined	439	100.0%	100.0%
Total		439		100.0%

<b>Cluster Distribution Two Step Cluster 5</b>				
		N	% of Combined	% of Total
Cluster	1	192	43.7%	43.7%
	2	247	56.3%	56.3%
	Combined	439	100.0%	100.0%
Total		439		100.0%

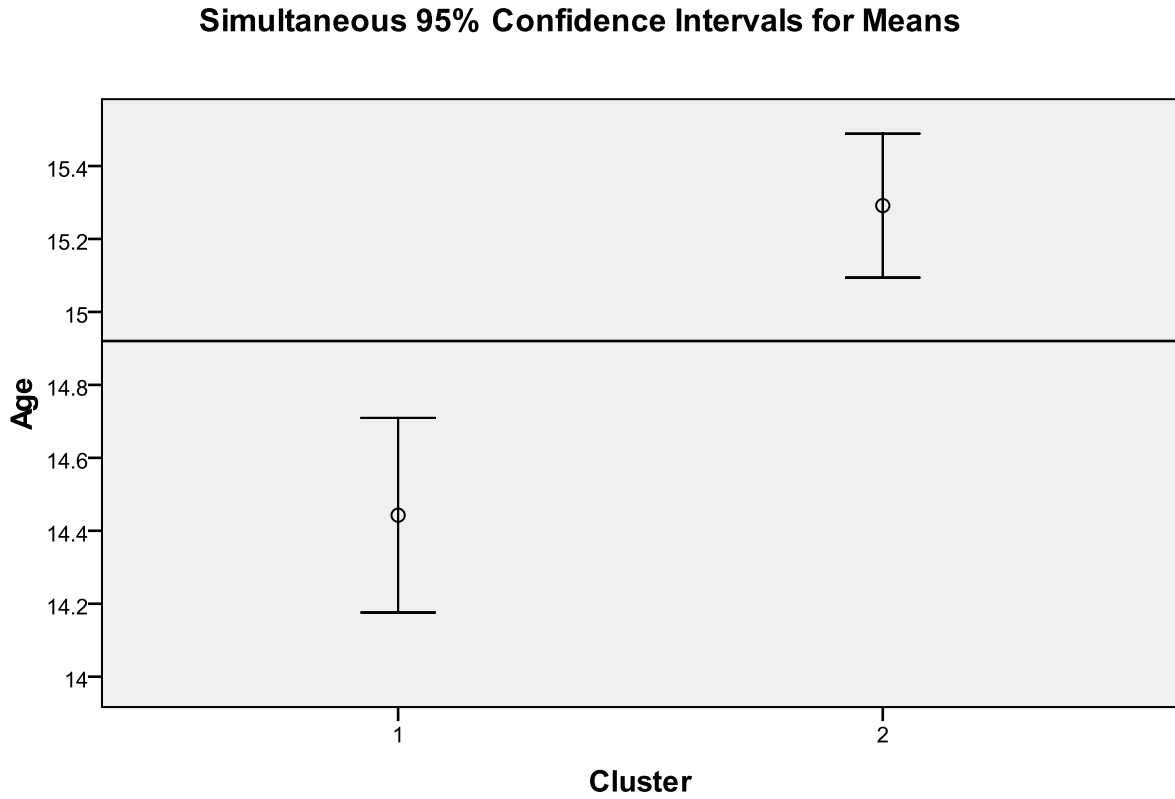
<b>Cluster Distribution Two Step Cluster 6</b>				
		N	% of Combined	% of Total
Cluster	1	178	40.5%	40.5%
	2	261	59.5%	59.5%
	Combined	439	100.0%	100.0%
Total		439		100.0%

Figure 2: Pie Chart of Second Two-Step Cluster



### Figures 3-8: Age Separation by Two-Step Clusters

Figure 3: From First Two-Step Cluster Analysis



Reference Line is the Overall Mean = 15

Figure 4: From Second Two-Step Cluster Analysis

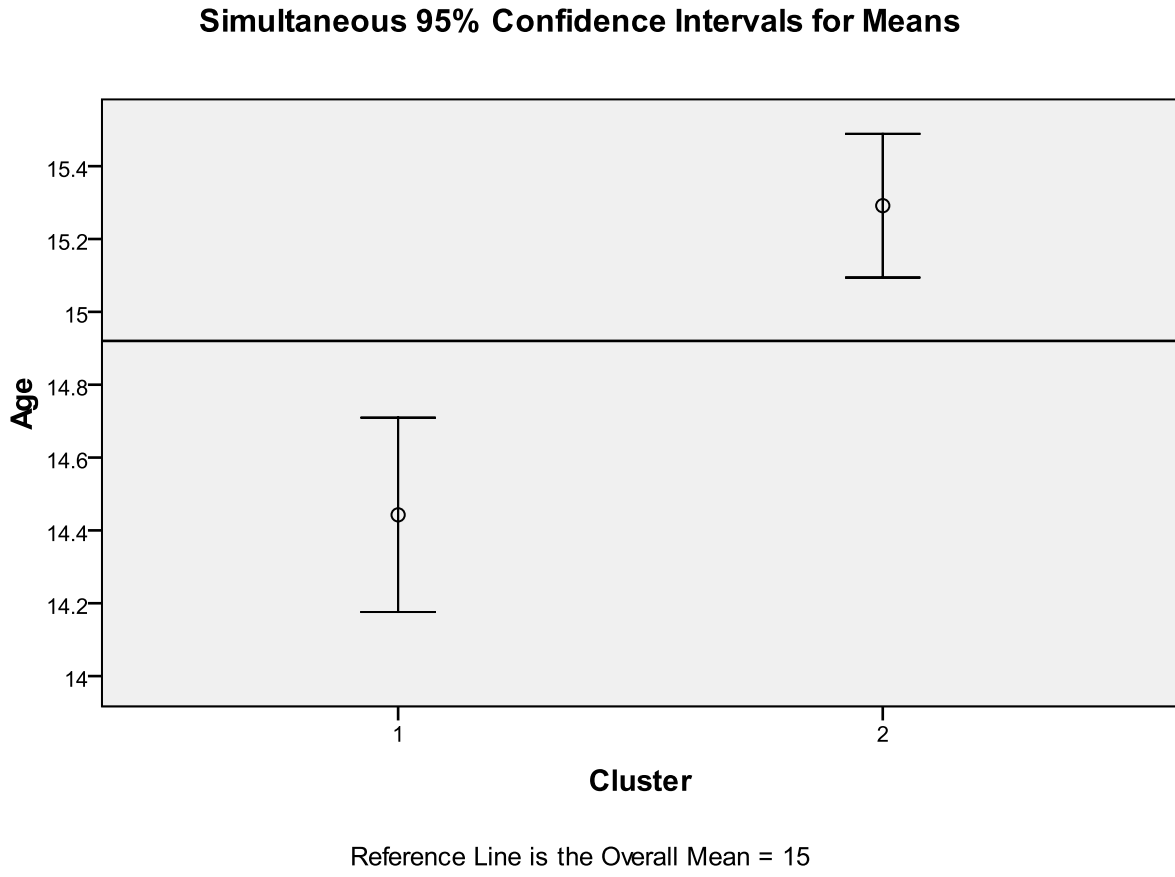


Figure 5: From Third Two-Step Cluster Analysis

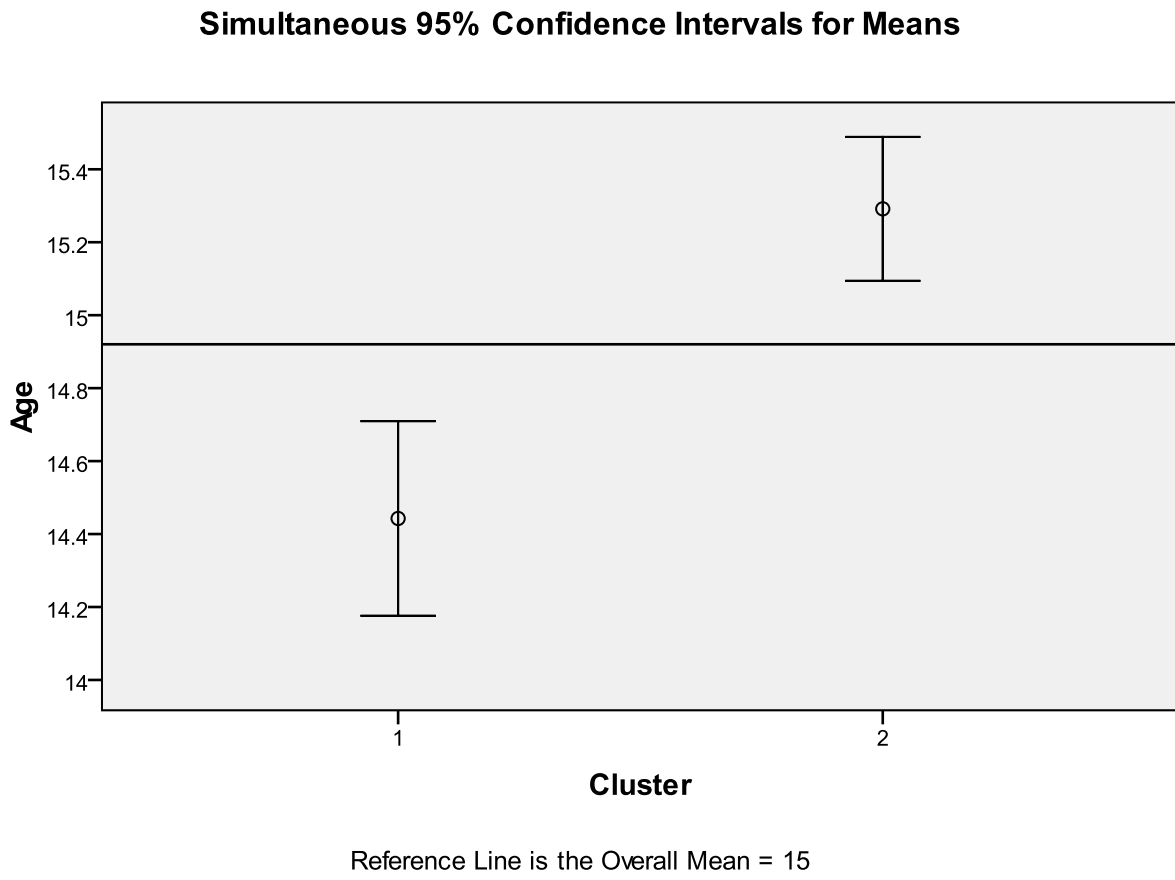


Figure 6: From Fourth Two-Step Cluster Analysis

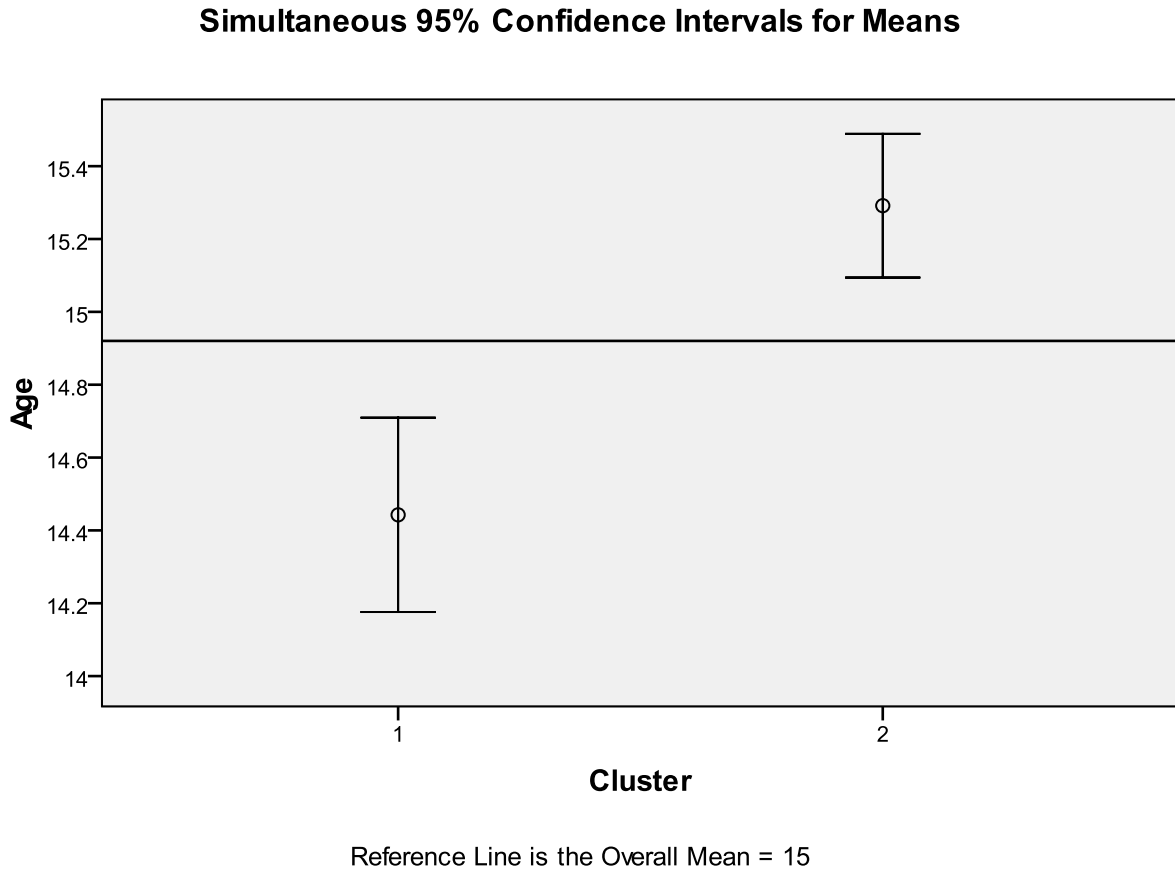


Figure 7: From Fifth Two-Step Cluster Analysis

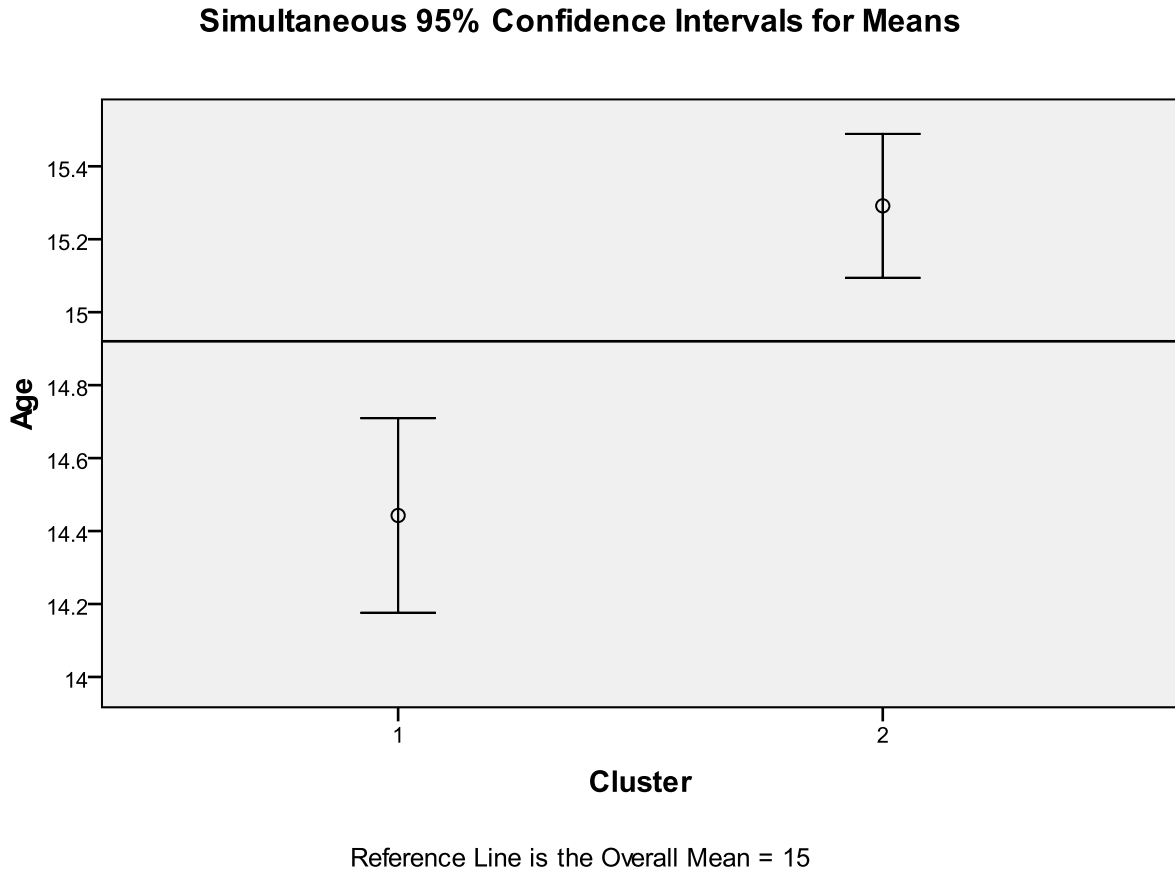


Figure 8: From Sixth Two-Step Cluster Analysis

