

Juveniles Referred to Family Court

DEFINITION

Juveniles referred to Family Court is the percentage of youth ages 10 to 17 referred to Rhode Island Family Court for wayward or delinquent offenses.

SIGNIFICANCE

Risk factors for juvenile delinquency and involvement in the juvenile justice system include association with other delinquent youth, neurological and cognitive impairments, academic and learning difficulties, poor parenting, child maltreatment, and high levels of community violence.¹

The Rhode Island Family Court has jurisdiction over juvenile offenders under age 18 referred for wayward and delinquent offenses. All referrals to Family Court are from state and local law enforcement agencies, except for truancy cases, which are referred by local school departments.^{2,3} During 2009 in Rhode Island, 4,825 youth (4% of Rhode Island youth between the ages of 10 and 17) were referred to Family Court for 7,829 wayward and delinquent offenses, down from 5,242 youth and 8,790 offenses in 2008. Of the offenses in 2009, 359 (5%) were violent offenses, 213 (59%) of which were committed by youth from the core cities. An additional 815 probation violations also came before the Family Court in 2009.^{4,5,6}

Youth in urban communities with

high poverty concentrations also are more likely to be referred for wayward or delinquent offenses. In 2009 in Rhode Island, 27% of juvenile offenses referred to Family Court were committed by youth from Providence, 24% were committed by youth from the other five core cities and 49% were committed by youth from the remainder of the state.⁷

Fifteen percent of juveniles referred to Rhode Island Family Court in 2009 had been referred once before and 10% had been referred at least twice before.⁸ The rehabilitation of youth and the prevention of recidivism (repeat offending) with the goal of protecting public safety are key elements of juvenile justice systems.

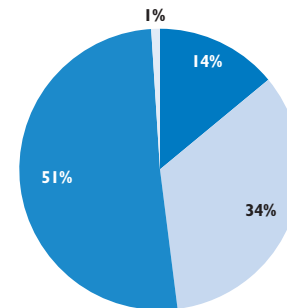
National research shows that an over-reliance on the incarceration of juveniles is not cost-effective and leads to worse public safety outcomes and higher rates of recidivism than the use of community-based alternatives to incarceration.⁹

Key components of successful community-based programs to prevent juvenile recidivism are the provision of intensive family therapy and an acknowledgment of the critical role families, homes and communities play in resolving delinquency. Successful programs also work with youths' strengths and provide a wide range of services and resources tailored to the needs of youth and their families.¹⁰

Juvenile Wayward/Delinquent Offenses Referred to Rhode Island Family Court, 2009

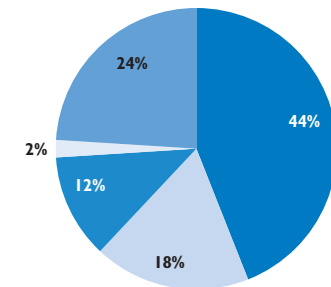
By Age of Juvenile

14%	■	Ages 13 or Younger
34%	■	Ages 14 and 15
51%	■	Ages 16 and 17
1%	■	Over Age 17



By Race and Ethnicity of Juvenile

44%	■	White
18%	■	Black
12%	■	Hispanic
2%	■	Asian
24%	■	Other/Unknown



n=7,829 offenses

By Type of Offense

24%	Property Crimes	5%	Traffic Offenses
19%	Disorderly Conduct	5%	Violent Crimes
19%	Status Offenses*	3%	Weapons Offenses
10%	Simple Assault	6%	Other**
9%	Alcohol and Drug Offenses		

n = 7,829

*Status offenses are age-related acts that would not be punishable if the offender were an adult, such as truancy and disobedient conduct.

**Other includes offenses such as conspiracy, crank/obscene phone calls and computer crimes.

Probation violations, contempt of court and other violations of court orders are not included in the offenses above.

◆ In 2009, 27% of juveniles referred to the Rhode Island Family Court were female and 73% were male.

Source: Rhode Island Family Court, 2009 Juvenile Offense Report. Percentages may not sum to 100% due to rounding.

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Alternatives to Incarceration for Juvenile Offenders in Rhode Island

- ◆ Juvenile courts have a wide range of options for handling juvenile offenders, including: restitution, community service, home curfews, academic supports, counseling, substance abuse treatment and probation.¹¹ In 2009 in Rhode Island, 21% of all cases referred to Family Court were diverted instead of proceeding to a formal court hearing.¹²
- ◆ The Rhode Island Family Court administers several alternatives to traditional court hearings, including the Truancy Court and the Juvenile Drug Court. In 2009, 2,021 juveniles were referred to the Truancy Court by schools in Rhode Island and 297 juveniles who committed drug offenses or had highlighted drug issues were diverted to the Juvenile Drug Court pre-adjudication.¹³ Juveniles referred to the Drug Court undergo a six- to twelve-month program that includes intensive court supervision, drug treatment, and educational and employment services.¹⁴
- ◆ In 2008 there were 30 Juvenile Hearing Boards in Rhode Island that served 32 of Rhode Island's cities and towns. The Providence Juvenile Hearing Board was not active in 2008, and seven communities in Rhode Island did not have Juvenile Hearing Boards (Jamestown, Little Compton, New Shoreham, North Providence, Richmond, South Kingston and Tiverton). Comprised of volunteer community members, these Boards permit the diversion of juveniles accused of status offenses or misdemeanors. Sanction options in this process include but are not limited to community service, restitution and counseling. A total of 789 cases were heard before Rhode Island Juvenile Hearing Boards in 2008.^{15,16}

Lesbian, Gay, Bisexual and Transgender Youth in Juvenile Courts

- ◆ Many lesbian, gay, bisexual and transgender (LGBT) youth experience family rejection, conflicts at home and bullying and harassment in school due to their gender identity or sexual orientation. These factors increase LGBT youth's risk of Family Court involvement for status offenses (like running away), survival crimes (like shoplifting and prostitution), truancy related to safety issues at school, and assault charges related to self defense. Training and resources for adults working in the juvenile justice system about the specific family, social and developmental challenges faced by LGBT youth can help ensure positive outcomes.¹⁷

Juveniles Tried as Adults

- ◆ Youth tried and punished in the adult court system are more likely to re-offend and to commit future violent crimes than youth who commit similar crimes but who are in juvenile systems. Counseling, therapeutic services, job training and educational services form the basis of rehabilitation in youth correctional environments. Youth placed in adult correctional facilities are less likely to receive appropriate services.^{18,19}
- ◆ Behavioral research shows that most youth offenders will stop breaking the law as part of the normal maturation process and that adolescents are less able than adults to weigh risks and consequences and to resist peer pressure. Research also shows that judgment and decision-making skills do not fully develop until the early twenties.^{20,21}
- ◆ When a juvenile has committed a heinous and/or premeditated felony offense or has a history of felony offenses, the Rhode Island Attorney General may request that the Family Court Judge waive jurisdiction so that the juvenile may be tried as an adult in Superior Court. Waiver of jurisdiction is mandatory for juveniles who are 17 years old and who are charged with murder, first degree sexual assault or assault with intent to commit murder.²²
- ◆ In 2009, the Attorney General's Office filed 17 motions to waive jurisdiction to try juveniles as adults (four mandatory and 13 discretionary waivers). Seven were waived voluntarily, five were waived after a hearing, one was withdrawn, and one was dismissed. As of January 2010, three motions from 2009 were pending before the Family Court.²³
- ◆ A juvenile in Rhode Island may also be "certified," allowing the Family Court to sentence the juvenile beyond age 19 if there is otherwise an insufficient period time in which to accomplish rehabilitation. There was one discretionary certification in 2009.²⁴ While the child is a minor, the sentence is served at the Training School. The youth can be transferred to an adult facility upon reaching age 19, if the court deems it appropriate.²⁵

References

¹ Smith, C. A. (2008). Juvenile delinquency: An introduction. *The Prevention Researcher: Preventing Juvenile Delinquency*, 15(1), 3-6.

² Rhode Island Family Court (n.d.). *Judiciary of Rhode Island, Rhode Island Family Court home page*. Retrieved February 3, 2008, from www.courts.ri.gov/family/defaultfamily.htm

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