

# 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 all wayward and delinquent offenses.

## SIGNIFICANCE

Youth risk factors for involvement in the juvenile justice system include poverty and diminished economic opportunity, family violence, parental substance abuse, youth substance abuse, mental health problems, truancy, learning disabilities, poor school performance, aggression and association with other high-risk youth.<sup>1,2</sup> During 2003 in Rhode Island, 5,338 youth (5% of youth between ages 10 and 17) were referred to Family Court for 9,054 wayward and delinquent offenses. Of these, 517 (6%) involved violent offenses.<sup>3,4</sup>

The Rhode Island Family Court has jurisdiction over all juvenile offenders 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. Approximately one quarter of all cases referred to Family Court are diverted instead of proceeding to a formal court hearing. Juveniles who commit crimes involving drugs may be referred by the

Family Court to the Juvenile Drug Court, rather than proceeding through the regular juvenile court system. Juveniles referred to the Drug Court undergo a six-to-twelve-month program that includes intensive court supervision, drug treatment, school performance reviews, job placement, and development of social skills and interests outside the drug culture.<sup>5</sup>

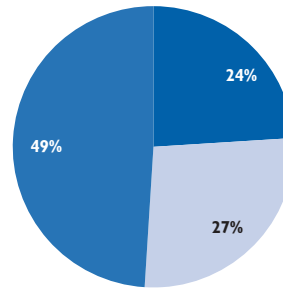
Rhode Island Family Court also administers Juvenile Hearing Boards serving 28 communities and permitting the diversion of juveniles accused of status offenses or misdemeanors. Sanction options in this diversion process include community service, restitution, mental health or substance abuse counseling, and/or a community-based program.<sup>6</sup>

Nine percent of juveniles referred to Family Court for wayward, delinquent and probation violations in 2003 had been referred to Family Court at least twice before.<sup>7</sup> Prevention and early intervention are the most cost-effective approaches to reducing delinquency and recidivism. Successful programs involve highly-trained counselors who work with youth, their families and teachers to promote responsible behavior, implement systems of support and build on assets and strengths.<sup>8,9</sup>

## Juvenile Wayward/Delinquent Offenses Referred to Family Court, Rhode Island, 2003

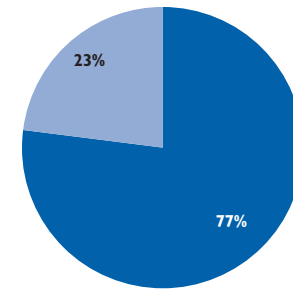
### By Residence of Juvenile

- 24% Providence
- 27% Other Core Cities
- 49% Remainder of State



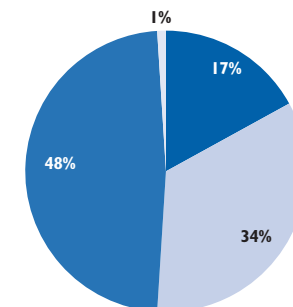
### By Gender of Juvenile

- 77% Male
- 23% Female



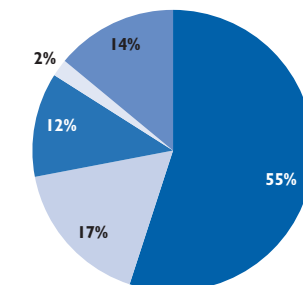
### By Age of Juvenile

- 17% Ages 13 or Younger
- 34% Ages 14 and 15
- 48% Ages 16 and 17
- 1% Over age 17



### By Race and Ethnicity of Juvenile

- 55% White
- 17% Black
- 12% Hispanic
- 2% Asian
- 14% Unknown



*n=9,054 offenses*

Source: Rhode Island Family Court, Juvenile Offense Report, 2003.

# Juveniles Referred to Family Court

## Juvenile Wayward/Delinquent Offenses Referred to Family Court, by Type of Offense, Rhode Island, 2003

28%	Property Offenses	8%	Traffic Offenses
13%	Status Offenses*	6%	Violent Crimes
16%	Disorderly Conduct	3%	Weapons Offenses
13%	Simple Assault	5%	Other**
9%	Alcohol and Drugs		

*n* = 9,054

\*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.

Source: Rhode Island Family Court, Juvenile Offense Reports for 2003.

## School-Based Strategies for Delinquency Prevention for Youth with Disabilities

◆ Youth with disabilities, particularly those with learning disabilities and serious emotional disorders, are overrepresented in correctional settings.<sup>10</sup> The absence of early intervention programs in schools and increasing pressure to achieve performance standards encourage schools to push out underachieving or difficult to manage youth into juvenile justice and alternative school settings through expulsion, suspension and higher drop out rates.<sup>11</sup>

◆ In Rhode Island, in 2002-2003, 21% of students in public schools were enrolled in special education but 31% of suspensions involved students enrolled in special education. In three school districts more than 40% of suspensions involved students with Individualized Education Plans (IEPs).<sup>12</sup> Twenty-six percent of students with disabilities in Rhode Island drop out.<sup>13</sup>

◆ Effective school-based prevention and delinquency management programming for youth with disabilities is culturally competent, includes low students/teacher ratios, positive behavior management, individualized interventions, structured classrooms, family involvement, and comprehensive services.<sup>14</sup>

## Juveniles Tried as Adults

◆ When a juvenile has committed a heinous and/or premeditated felony offense or has a history of felony offenses, the 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 is mandatory for juveniles age 17 or older who are charged with murder, first degree sexual assault or assault with intent to commit murder.<sup>15</sup>

◆ A juvenile may also be “certified” allowing a court to sentence the juvenile to age 21 or beyond if there is otherwise an insufficient period of time in which to accomplish rehabilitation. While the child is a minor, the sentence is served at the Training School; upon reaching age 21 the youth is transferred to an adult facility.<sup>16</sup>

◆ In 2003, the Attorney General’s Office filed 21 motions to waive jurisdiction to try juveniles as adults. Six of these were mandatory waivers. Five motions to waive were withdrawn, one was denied, and seven juveniles were waived out of Family Court to adult court. In January 2004, there were 8 motions pending before the Family Court.<sup>17</sup>

### References for Indicator

<sup>1</sup> *Best Practices of Youth Violence Prevention: A Sourcebook for Community Action*. (June 2002). Atlanta, GA: Centers for Disease Control and Prevention.

<sup>2</sup> *Youth Violence, Fact Sheet*. (January 2004). Atlanta, GA: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control. Retrieved February 2004 from <http://www.cdc.gov>.

<sup>3,7</sup> *2003 Juvenile Offense Report*. (2004). Providence, RI: Rhode Island Family Court.

<sup>4</sup> US Bureau of the Census, Census 2000.

<sup>5</sup> *Rhode Island Family and Juvenile Drug Court*, Newsletter, Issue 1: Winter 2000.

<sup>6</sup> Pirolli, R. (2001). *Juvenile Hearing Board 2000 Year-End Report*. Providence, RI: Rhode Island Family Court.

<sup>7</sup> Pirolli, R. (2004). *2003 Juvenile Hearing Board Year-End Report Summary*. Providence, RI: Rhode Island Family Court.

<sup>8</sup> Brown, D. et al. (2002). *Barriers and Promising Approaches to Workforce and Youth Development for Young Offenders*. Baltimore, MD: The Annie E. Casey Foundation.

<sup>9</sup> Mendel, R. (2001). *Less Cost More Safety: Guiding Lights for Reform in Juvenile Justice*. Washington, DC: The America Youth Policy Forum.

<sup>10,11,14</sup> Mears, D. et al. (November 2003). *Addressing the Needs of Youth with Disabilities in the Juvenile Justice System: The Current State of Knowledge*. Washington, DC: The Urban Institute, Justice Policy Center.

<sup>12,13</sup> Rhode Island Department of Elementary and Secondary Education, 2003.

<sup>15,16</sup> Rhode Island General Laws, Sections 14-1-7; 14-1-7.1; 14-1-7.2; 14-1-7.3.

<sup>17</sup> Rhode Island Office of the Attorney General, 2003.