

# 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 and for juvenile violent crime 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 2002 in Rhode Island, 5,049 youth were referred to Family Court. Most of the offenses were committed by White youth (60%), followed by Black (16%), Hispanic (12%), and Asian (2%).<sup>3</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. In Rhode Island in 2002, only 5% (469) of the 9,348 wayward/delinquent offenses for which juveniles were referred to Family Court involved violent offenses.<sup>4</sup> Approximately one-third 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>

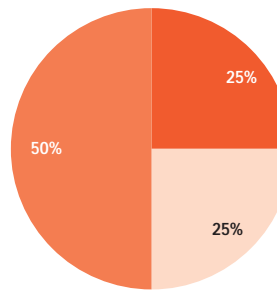
Rhode Island Family Court also administers 27 Juvenile Hearing Boards serving 29 communities and permitting the diversion of juveniles accused of status offenses or misdemeanors. Sanction options in this diversion process include community service, restitution, mental health or substance abuse counseling, and/or a community-based program.<sup>6</sup> In 2002, 791 referrals were made to Juvenile Hearing Boards.<sup>7</sup>

Just over one in ten (12%) juveniles referred to Family Court for wayward, delinquent and probation violations in 2002 had been referred to Family Court at least twice before.<sup>8</sup> Prevention, early intervention and positive youth development programs 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 strengths.<sup>9,10</sup>

## Juvenile Wayward/Delinquent Offenses Referred to Family Court, Rhode Island, 2002

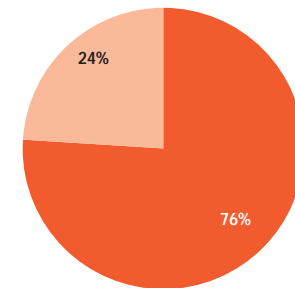
By Residence of Offender

- 25% Providence
- 25% Other Core Cities
- 50% Remainder of State



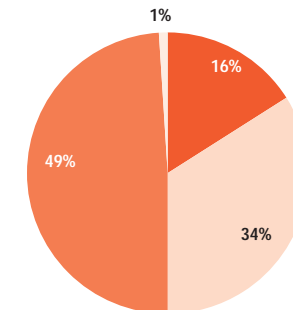
By Gender of Juvenile

- 76% Male
- 24% Female



By Age of Juvenile

- 16% Ages 13 or Younger
- 34% Ages 14 and 15
- 49% Ages 16 and 17
- 1% Over age 17



*n=9,348 offenses*

Source: Rhode Island Family Court, Juvenile Offense Report, 2002.

◆ In 2002 in Rhode Island, there were 5,049 juveniles (5% of youth ages 10 and 17) referred to Family Court for 9,348 wayward and delinquent offenses.

## Juveniles Referred to Family Court

### Juvenile Wayward/Delinquent Offenses Referred to Family Court, by Type of Offense, Rhode Island, 2002

29%	Property Offenses	9%	Traffic Offenses
14%	Status Offenses*	5%	Violent Crimes
14%	Disorderly Conduct	2%	Weapons Offenses
12%	Simple Assault	5%	Other**
10%	Alcohol and Drugs		

*n* = 9,348

\*Status offenses are age-related violations 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, escapes from custody, and other offenses.

Source: Rhode Island Family Court, Juvenile Offense Reports for 2002.

### Girls in the Juvenile Justice System

◆ Nationally, between 1991 and 2000, juvenile arrests of females increased more than male arrests in most offense categories.<sup>11</sup> Studies suggest that there has not been a significant increase in female behavior but rather a change in the response of the justice system. Most girls in the juvenile justice system are non-violent offenders charged with relatively minor status, property and drug offenses.<sup>12</sup>

◆ Many delinquent girls have been affected by sexual and physical abuse, familial substance abuse and domestic violence. Girls often use drugs and alcohol to numb the pain of such childhood trauma. Girls in the juvenile justice system have unique developmental, physical and emotional needs that are not met by current programs, which usually are designed for males.<sup>13</sup>

◆ In Rhode Island, DCYF and the Rhode Island Juvenile Justice Commission have formed an Advisory Committee, now in its second year, to assess the adequacy and availability of gender-specific services for court-involved girls and girls at risk of incarceration. Key goals are to address the consequences of victimization and substance abuse among girls. The effort will assess and develop gender-specific programming and services at the Training School.<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 still a minor the sentence is served at the Training School; upon reaching the age of majority the youth is transferred to an adult facility.<sup>16</sup>

◆ In 2002, the Attorney General’s Office filed 21 motions to waive jurisdiction to try juveniles as adults. Six of these were mandatory waivers. Two motions to waive were withdrawn, one was dismissed and eight juveniles were waived out of Family Court to adult court. In January 2002, there were 10 waiver 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> *Facts About Youth Violence* (Fact Sheet, October 2002). Atlanta, GA: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control.

<sup>3,4,8</sup> *2002 Juvenile Offense Report* (2003). Providence, RI: Rhode Island Family Court.

<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. (2003). *2002 Juvenile Hearing Board Year-End Report Summary* (2003). Providence, RI: Rhode Island Family Court.

<sup>9</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>10</sup> Mendel, R. (2001). *Less Cost More Safety: Guiding Lights for Reform in Juvenile Justice*. Washington, DC: The America Youth Policy Forum.

<sup>11</sup> Snyder, R. (November 2002). *Juvenile Arrests 2000*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

<sup>12,13</sup> *Justice by Gender* (May 2001). Washington, DC: American Bar Association and National Bar Association.

<sup>14</sup> Benedict, A. (November 2001). *Gender-Specific Programming for Girls and Young Women Along Rhode Island’s Continuum of Care*. Cranston, RI: CORE Associates.

<sup>15,16</sup> R.I. Gen. 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, 2002.