

Youth Referred to Family Court

DEFINITION

Youth 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, cognitive impairments, academic and learning difficulties, poor parental supervision and attachment, child maltreatment, community disorganization, poverty, and crime.¹

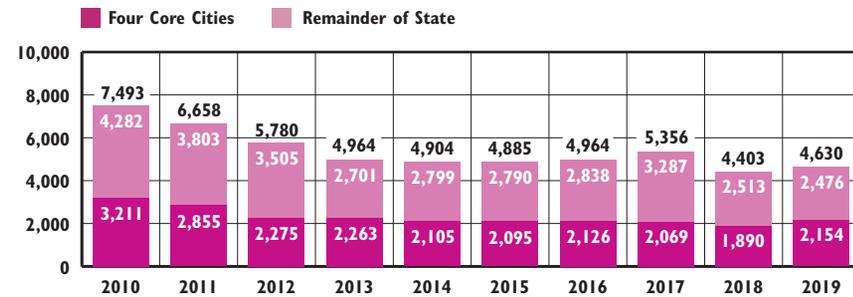
The Rhode Island Family Court has jurisdiction over children and youth under age 18 referred for wayward and delinquent offenses. When a police or school department refers a juvenile to Family Court, a petition is submitted accompanied by an incident report detailing the alleged violation of law.² During 2019 in Rhode Island, 2,588 youth (2% of Rhode Island youth between the ages of 10 and 17) were referred to Family Court, up from 2,565 youth during 2018. The number of offenses referred during 2019 (4,630) increased from 2018, when 4,403 offenses were referred. Of the juvenile offenses in 2019, 209 (5%) involved violent offenses.^{3,4}

In 2019 in Rhode Island, 24% of juvenile offenses referred to Family Court were committed by youth from Providence, 23% were committed by youth from the other three core cities, and 54% were committed by youth living in the remainder of the state.⁵

Using risk and needs assessments can reduce bias in juvenile justice sanctions and has been found to better predict a youth's likelihood to reoffend than a justice official's professional judgment.⁶ Of the youth referred to the Rhode Island Family Court in 2019, 69% were referred for the first time, 16% had been referred once before, and 15% had been referred at least twice before.⁷

Research shows that incarceration of youth is not cost-effective and leads to worse public safety outcomes and higher recidivism rates than the use of community-based alternatives.⁸ Community-based programs that improve a youth's skills, relationships, and behaviors are more effective at preventing recidivism than those that emphasize discipline and threat of consequences. Effective interventions include individual, group, and family counseling, mentoring programs, academic and vocational training, case management services, and restorative justice practices.⁹

Juvenile Wayward/Delinquent Offenses Referred to Rhode Island Family Court, 2010-2019



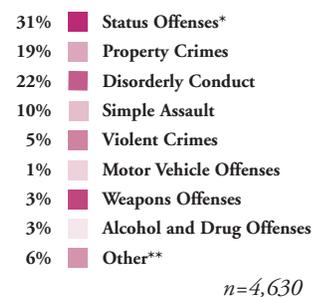
Source: Rhode Island Family Court, 2010-2019 Juvenile Offense Reports.

◆ The number of juvenile offenses has fallen by 38% since 2010, from 7,493 to 4,630 in 2019. The number of children and youth referred to Family Court for wayward and delinquent offenses declined 40% between 2010 and 2019, from 4,288 to 2,588.¹⁰

◆ In 2019, 68% of offenses referred to the Family Court involved males and 32% females. In 2019, 43% of offenses involved White youth, 23% Black youth, 15% Hispanic youth, 1% Asian youth, and 18% of offenses involved youth of some other race or an unknown race.¹¹

◆ In 2019, 12% of offenses referred to Family Court involved youth ages 12 or younger, 49% youth ages 13 to 15, 38% youth ages 16 to 17, and 1% youth of unknown age.¹²

Juvenile Offenses, By Type of Offense, 2019



*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, computer crimes, and possession of a manipulative device for automobiles, etc. Probation violations, contempt of court, and other violations of court orders are not included in the offenses above.

Source: Rhode Island Family Court, 2019 Juvenile Offense Report. Percentages may not sum to 100% due to rounding.



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, revocation of driving privileges, counseling, substance abuse treatment, and probation.¹³ In 2019 in Rhode Island, 45% of all cases referred to Family Court were diverted instead of proceeding to a formal court hearing, up from 43% in 2018.¹⁴
- ◆ The Rhode Island Family Court administers several alternatives to traditional court hearings, including the Truancy Court and the Juvenile Drug Court. In 2019, 1,350 juveniles were referred to the Truancy Court by schools, down from 1,729 in 2018. In 2019, 150 juveniles who committed drug offenses or had highlighted drug issues were diverted to the Juvenile Drug Court pre-adjudication, up from 72 in 2018.¹⁵ 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.¹⁶
- ◆ In 2019, there were 34 Juvenile Hearing Boards in Rhode Island. Five communities did not have Juvenile Hearing Boards (Little Compton, New Shoreham, North Kingstown, Richmond, and South Kingstown). 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. Rhode Island Juvenile Hearing Boards reported hearing 358 cases in 2019.¹⁷



LGBT Youth in the Juvenile Justice Systems

- ◆ 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 behavior (like engaging in commercial sexual activity), and safety-related truancy. LGBT youth are more likely to be subjected to profiling, detained for low-level offenses, and victims of assault while in custody. Instituting protective policies and training for adults working in the juvenile justice system about the social, familial, and developmental challenges faced by LGBT youth could help keep them safe and support positive outcomes while they are in the community, in detention, or in correctional settings.^{18,19}



Juveniles Tried as Adults

- ◆ Youth tried and punished in the adult court system are more likely to re-offend and to commit future crimes than youth who commit similar crimes but who are in the juvenile system. Adolescents in the adult criminal justice system are at risk for sexual and physical victimization, and disruptions in their development, including identity formation, learning, and relationship skills.²⁰
- ◆ Behavioral research shows that most youth offenders will stop breaking the law as part of normal development 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 are not fully present during adolescence due to the brain still developing.^{21,22}
- ◆ 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 conduct a waiver hearing so that the juvenile may be tried as an adult in Superior Court.²³
- ◆ In 2019, the Attorney General's Office filed nine motions to waive jurisdiction to try juveniles as adults. Of nine waiver motions, two waived voluntarily and four remain pending before the Family Court at the end of 2019.²⁴
- ◆ A juvenile in Rhode Island also may be “certified,” allowing the Family Court to sentence the juvenile beyond age 19 if there is otherwise an insufficient period of time in which to accomplish rehabilitation. There was one certification motion filed in 2019 (which resulted in certification). 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.^{25,26}

References

¹ Development Services Group, Inc. (2015). *Risk factors for delinquency-Literature review*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. Retrieved March 5, 2020, from www.ojjdp.gov

² Rhode Island Family Court. (n.d.). *About the Family Court*. Retrieved March 5, 2020, from www.courts.ri.gov

(continued on page 183)