

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, and 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 youth to Family Court, a petition is submitted, accompanied by an incident report, detailing the alleged violation of law.² During 2015 in Rhode Island, 2,770 youth (3% of Rhode Island youth between the ages of 10 and 17) were referred to Family Court, up from 2,713 youth during 2014. Fewer offenses (4,885) were referred to Family Court in 2015 than during the previous year, when 4,904 offenses were referred. Of the juvenile offenses in 2015, 234 (5%) involved violent offenses (55% of which occurred in the four core cities). An

additional 589 probation violations also came before the Family Court in 2015.^{3,4,5}

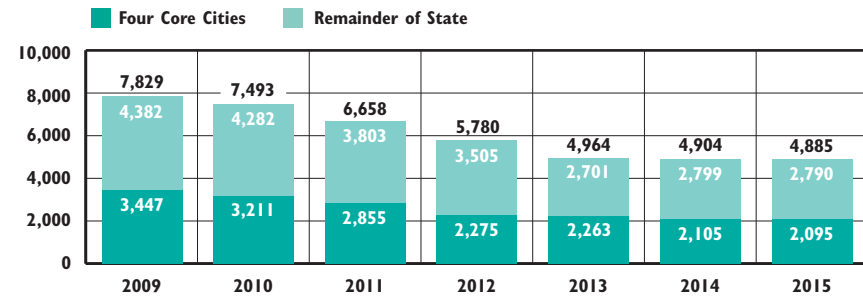
In 2015 in Rhode Island, 24% of juvenile offenses referred to Family Court were committed by youth from Providence, 19% were committed by youth from the other three core cities, and 57% were committed by youth living in the remainder of the state.^{6,7}

Assessing the risk of re-arrest and intervention needs of each youth is necessary for providing appropriate supports to prevent recidivism.⁸ Eighteen percent of youth referred to the Family Court in 2015 had been referred once before, and 20% had been referred at least twice before.⁹

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 to incarceration.¹⁰

Programs that facilitate behavior change by improving a youth's skills, relationships, and insight 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.¹¹

Juvenile Wayward/Delinquent Offenses Referred to Rhode Island Family Court, 2009-2015



◆ The number of children and youth referred to Family Court for wayward and delinquent offenses declined 43% between 2009 and 2015, from 4,825 to 2,770. During the same period, the number of juvenile offenses declined by 38%, from 7,829 to 4,885.

◆ In 2015, 68% of offenses referred to the Family Court involved males and 32% females. Forty-six percent of offenses involved White youth, 22% Black youth, 16% Hispanic youth, 1% Asian youth, and 16% of offenses involved youth of some other race or an unknown race.

◆ In 2015, 8% of offenses referred to Family Court involved youth ages 12 or younger, 43% youth ages 13 to 15, 48% youth ages 16 to 17, and 1% of unknown age.

BY TYPE OF OFFENSE

25%	Status Offenses*	4%	Motor Vehicle Offenses
21%	Property Crimes	3%	Weapons Offenses
21%	Disorderly Conduct	2%	Alcohol and Drug Offenses
11%	Simple Assault	7%	Other**
5%	Violent Crimes		

n=4,885

*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, 2009-2015 Juvenile offense reports. 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, revocation of driving privileges, counseling, substance abuse treatment, and probation.¹² In 2015 in Rhode Island, 20% of all cases referred to Family Court were diverted instead of proceeding to a formal court hearing, the same as in 2014.¹³
- ◆ The Rhode Island Family Court administers several alternatives to traditional court hearings, including the Truancy Court and the Juvenile Drug Court. In 2015, 1,353 juveniles were referred to the Truancy Court by schools. In 2015, 53 juveniles who committed drug offenses or had highlighted drug issues were diverted to the Juvenile Drug Court pre-adjudication.¹⁴ 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.¹⁵
- ◆ In 2014, there were 35 Juvenile Hearing Boards in Rhode Island. Four communities did not have Juvenile Hearing Boards (Little Compton, North Providence, 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 374 cases in 2014 (the most recent year for which data are available).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 behavior (like engaging in commercial sexual activity), and truancy related to safety issues at school. 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 support positive outcomes for these youth.¹⁷

Juveniles Tried as Adults in Rhode Island

- ◆ 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 are in juvenile systems. 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.¹⁸
- ◆ 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 do not fully develop until the mid-twenties.^{19,20}
- ◆ 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 voluntarily 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.²¹
- ◆ In 2015, the Attorney General's Office filed 20 (19 discretionary and one mandatory) motions to waive jurisdiction to try juveniles as adults. Of the discretionary waiver motions, five youth were waived voluntarily, three were waived after a hearing, three waiver motions were amended to certification after the youth pled to an adult sentence, and eight were pending before the Family Court at the end of 2015.²²
- ◆ 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 filed in 2015 (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.^{23,24}

References

¹ Development Services Group, Inc. (2015). *Risk factors for delinquency-Literature review*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

² Rhode Island Family Court. (n.d.). *About the Family Court*. Retrieved February 25, 2013, from www.courts.ri.gov

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