

Peer pressure

Teens run court in an effort to keep young offenders out of the juvenile justice system

BY AMANDA WALDROUPE
STAFF WRITER

Off to one side of the Fairview City Council's chambers, 10 teenagers sit in two rows of seats. Some slouch, while others can't sit still — they let their legs bounce, look at their smart phones, lean over to talk to one another, and one even takes off a chain necklace and starts playing string games.

A handful of other teens, some accompanied by their parents, sit in seats facing the city council's dais, where Portland attorney Shelley Keller sits in a judge's robe.

The jury rouses themselves when another teen across the room calls them and everyone else in the room to order. "Hear ye, hear ye," the teen says, who is performing the role of court bailiff. He stumbles through phrases, such as "the honorable judge," but once he is done, the Youth Peer Court is in session.

The Youth Peer Court is a restorative justice program operating in Gresham, Fairview, Wood Village and Troutdale. The program's purpose is to keep juveniles who commit low-level offenses for the first time out of the criminal justice system.

The hearing held on June 28 was the final court session of the year, until school starts again in September.

The court relies almost entirely on teens to run the program — attorneys volunteer their time to act as judges and oversee sentencing, maintain order and guide the court's weekly proceedings. But volunteer teens, in good standing in school, work with offending youth as their prosecuting and defense attorneys. And the jury is literally a jury of the offender's peers — volunteers sit on juries, as well as teens who are past offenders.

The program has proven to be an effective alternative to sending juvenile offenders to jail, and more importantly, helping the teens realize the effects of the crimes they commit.

The growing awareness and use of Peer



Jackie Nelson (standing) acts as an attorney in the Youth Peer Court, with "judge" Shelley Keller, a criminal attorney, on the bench.

PHOTO BY AMANDA WALDROUPE

Court in east Multnomah County is also part of a growing movement to reform and soften juvenile justice in Oregon, and across the country.

"The juvenile (justice system) has realized that one of the best things they can do, particularly for first-time offenders, is to keep them out of the justice system as much as possible," says Mark McKetchnie, the executive director of Youth Rights Justice.

Last year, the state Legislature created legislation to keep juvenile offenders out of adult jails, and last month, the U.S. Supreme Court ruled that it was unusual and cruel punishment to give life without the possibility of parole to juvenile offenders. In the place of hard jail sentences, restorative justice programs are becoming more frequently used.

"The idea of restorative justice is repairing relationships in the community ... and building conscience," says Kim Harvey-Trigoso, Peer Court's coordinator. "It's a lot more meaningful than restitution. We want teens to feel like they are a part of their community, and that their actions impact themselves and others."

Peer Court started three years ago in response to increasing concerns about drug and alcohol related problems in east Multnomah county's various high schools—including the presence of alcohol and marijuana on campus. Numerous organizations, including the county's juvenile department, district attorney's office, and the school districts and police departments in the four cities where the court operates, collaborated to develop the program.

The most common offenses Peer Court handles include possession of less than an ounce of marijuana within 1,000 feet of a school, consumption of alcohol, low-level theft and burglary charges. Harvey-Trigoso says the court has also dealt with the occasional forgery case, and other low-level assault charges that are downgraded to harassment.

Adina Kiriak, 17, who has volunteered as an attorney with Peer Court for two years, has been surprised by how pervasive drug and alcohol use is among her peers.

"You could have the best student in the class doing marijuana, and you would never know it," she says. "It's given me a new perspective on my classmates. I would never have guessed that they were doing that. These things can happen to anyone."

Many of the students coming through Peer Court, Harvey-Trigoso says, are at-risk youth close to getting kicked out of school, and come from tenuous and impoverished circumstances.

"We have a lot of kids who drop out of school very early. They are very behind," Harvey-Trigoso says. "They are falling through the cracks."

Juveniles come to Peer Court after they are given two choices by the police officer in charge of their case, the juvenile department or the district attorney's office: try the case in court and thus enter the criminal justice system, or enter Peer Court.

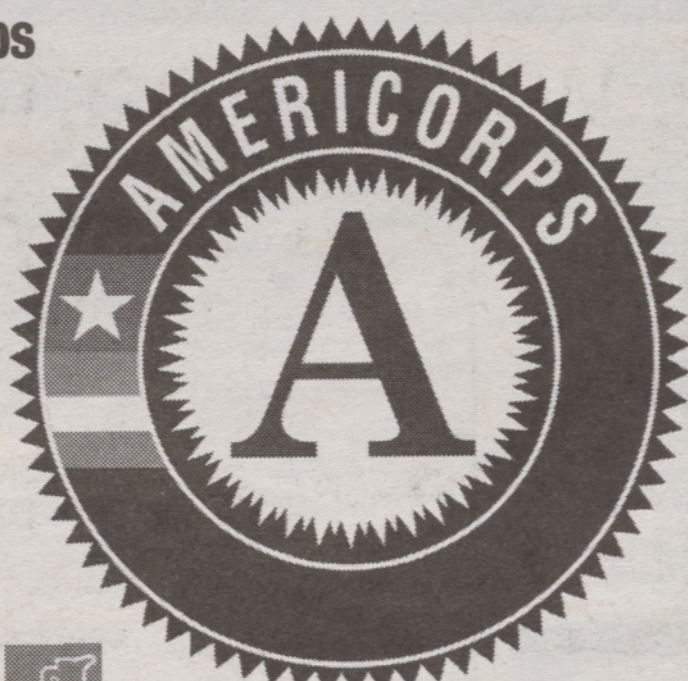
The county's juvenile department and district attorney office reviews every case. Most referrals either come from that office, or the police officers based at various middle and high schools.

If the youth chooses to participate in

See PEER PRESSURE, page 5

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"Brandy, what did he tell you to convince you to come, to have him come back?"

Brandy couldn't control her tears. "Just that he loved me, and he was sorry, and he would never let —"

"Did you believe him this time?" DPA Hershkovitz asked.

"I believe him every time," Brandy said.



The gravity of abuse

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