

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 179

Approved April 8, 1982

WHEREAS, A teen-age jury in Juvenile Court, results in first offenders having sentences determined by their peers, and

WHEREAS, This jury, consisting of students from Middle and Senior High Schools participating on a voluntary basis, giving up one afternoon of classes, has been in existence for three and one-half years in Duluth with numerous advantages, and

WHEREAS, With a Probation Officer to oversee the proceedings, this program has kept administrative costs down and speeds up the time for processing cases, and

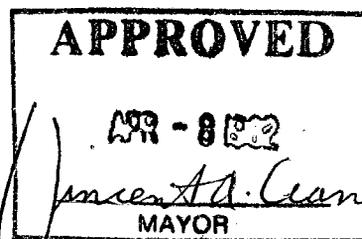
WHEREAS, A primary value of the youth jury is the education given to the jurors and their peers,

NOW, THEREFORE, BE IT RESOLVED, That the Providence Municipal Court study the feasibility of creating a Juvenile Jury Program for the Juvenile Court, to consist of students from the Middle and Senior High Schools.

IN CITY COUNCIL

APR 8 1982
READ AND PASSED

James P. Stronach
Clerk
Robert M. Mendonca
Clerk



Carrollman Parkman

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Pearlman

For Teen-Agers in Duluth, Teen-Age Juries

By NATHANIEL SHEPPARD Jr.

Special to The New York Times

DULUTH, March 27 — A nervous 14-year-old high school sophomore stood before eight teen-age jurors in juvenile court to be sentenced for possession of 10 marijuana cigarettes with intent to sell them.

Under a novel year-and-a-half-old program for first offenders, he had elected to have his sentence determined by a jury of his peers, with a probation officer overseeing the proceedings.

"How old are the kids you sell to?" a juror asked. "Fourteen to 16," the youth replied, his head down and his right foot wiggling under the table at which he sat with his mother.

"How much profit do you make from selling the joints?" another juror asked. "None," the youth said. "I did it to meet other people."

"Aren't there better ways to meet people?" another juror asked. "I don't know," the youth said.

"If I may say something," the youth's mother interjected. "My son is shy and has always had trouble making friends with other children. His father died several years ago. He was an alcoholic, and that contributed to some of my son's problems."

The youth and his mother were excused from the courtroom while the jurors decided on the punishment. "I don't think he knew what he was doing was wrong," one juror said. "Yeah, but selling to 14-year-olds," said another.

Problem Meeting Friends

"Sounds like he has a problem meeting friends," one said. "Maybe we should get him into something like the Big Brothers program."

"That's a good idea," said Bonnie McDonald, the probation officer who supervised the hearing, often coaxing jurors to be more lenient with defendants by reminding them that they were first offenders.

"How much probation?" she asked. The jurors agreed on 90 days and said the

youth should be required to participate in a drug-awareness program and put in 16 hours of unpaid community service work.

The population of this Lake Superior port city is about 100,000, and nobody seems sure how many are juveniles. But, according to Sgt. Gerald M. Sabick of the Police Department's juvenile division, 50 to 60 percent of the city's crimes are committed by persons 17 years of age or younger.

Since the juvenile jury program has been in operation, more than 125 cases have been heard by teen-age juries, made up of students from junior and senior high schools. They participate on a voluntary basis, giving up one afternoon of classes.

"The main advantage of the program is that it helps keep administrative costs down and helps us to keep the time for processing cases to under 10 days," said Michael J. Farrell, supervisor of the youth division of Juvenile Court. "We figure it costs about one-half or less for the youth jury to handle a case than it would for the regular jury to do so."

Matter of Education

Gerald C. Martin, presiding judge of the Juvenile Court, said that the primary value of the youth jury was "the education it gives to the jurors and their peers."

"They get to learn about the court system and get a perspective on what happens in the judiciary," he said. "And they have to make decisions. They also learn that things do happen and there are consequences for violating the law, contrary to the popular belief that juveniles always get off with a slap on the wrist. And this they pass on to their peers."

"Kids often go expecting it will be easier before a juvenile jury because it is made up of their peers. But they sometimes get treated very roughly and the jury sometimes lays into kids and parents with no holds barred."

The sentences meted out by the youth jury are sometimes uneven. One youth was caught with one marijuana cigarette in his possession and sentenced to 60 days

of supervised probation. Another, charged with the theft of a pack of cigarettes and a lighter and possession of marijuana, was given 30 days' probation and required to write a letter of apology to the person from whom she had stolen.

Most of the cases involve underage drinking or possession of marijuana. The jurors are also empowered to hear cases involving certain shoplifting, misdemeanor assault, illegal use of firearms and illegal hunting and fishing.

Drinking and Drugs

Drinking is a major pastime for many of the city's youths and for some, drugs are, too. When a defendant said he had never drunk beer or smoked marijuana, a juror shot back: "I don't believe you. There probably isn't any kid around here who hasn't gone to Superior to drink or smoke marijuana at least once."

At a break in the hearings the jurors were asked who among them had never consumed alcohol as a minor or smoked marijuana. No one spoke up.

"It's hard to be in our position," said Loreen Murphy, a 17-year-old student at Cathedral High School. "We grew up drinking like some of the kids that come into court, and we have to put sentences on the kids because they get caught. I find myself more sympathetic. I know it's wrong to drink underage, but I do it."

"I guess we all break the law sometimes," said Mrs. McDonald, the probation officer. "I know it's hard to hold the gas pedal to 30, but I am hard on my kids about it. When I have to go somewhere I will do 50 to get there."

Despite the conflicts, most of the jurors said they felt the youth jury served an important function.

"It gives a youth a chance to prove they can participate in the legal system," said Paul Kovach, an 18-year-old senior.

"We can get to the truth," said Paul Karon, a 17-year-old senior. "A kid can get by with a lot when talking to a teacher or a judge or someone older, but it's hard to fool a peer because they have been around and done some of the same thing."