



Santa Barbara Teen Court jury in deliberations.

Teen Court

Justice through peer pressure.

By Karen Pelland, June 6, 2013

The nine jurors are already seated in the jury box when the defendant walks into the courtroom. She's wearing jeans, sneakers, a plain white blouse and black-rimmed glasses. She takes a seat at a front table, accompanied by her mother and preteen sister. She has no lawyer.

"Everyone, please rise. The court is now in session," declares attorney and Teen Court volunteer Judge Carissa Horowitz, perched at the bench in a wood-paneled courtroom inside the Superior Court building on Figueroa Street in downtown Santa Barbara. A large, bronze state seal of California looms above her honor. The jury members raise their hands and the judge swears them in.

A teenage boy reads the case summary aloud. The defendant, Anita (not her real name), was arrested five weeks earlier for possessing less than an ounce of marijuana. The bust happened after she and a friend drove up into the mountains, parked and smoked two bowls. Cops pulled up behind them, spotlights fired and the party was over.

Anita takes the stand. Following a brief primer from the judge on the meaning of "perjury," she swears to tell the truth and nothing but the truth. Her mother watches without emotion, while her younger sister fidgets quietly in her seat. The judge begins calling on jurors one by one as they raise their hands in rapid succession.

"How often do you smoke pot?" asks one juror.

"Only twice, but the first time I didn't feel anything."

“Did you feel pressure to smoke pot?” inquires another.

“Yes.”

“How did you feel after you got caught?”

“Pretty dumb.”

“What kind of grades do you get?”

“A’s and B’s.”

“Did you buy the pot?”

“No.”

“How much money do you make at your job?”

“About \$100 a week.”

“Do you think you’ll smoke pot again?”

“No.”

The young jurors grill Anita. They are quick with follow-ups and point out when answers don’t jibe with previous statements. Anita speaks quietly but confidently, explaining that she was experimenting and knows she disappointed her mother, who was at work at the time and thought Anita was at home.

“You only live once—that whole YOLO thing. My bad,” she shrugs.

It could have been worse for 17-year-old Anita. She had never been in trouble with the law before, which made her a good candidate for Teen Court, a county program that puts first-time juvenile offenders facing misdemeanor drug and alcohol violations, or other minor offenses such as petty theft or vandalism, at the mercy of their peers. Only the judge, usually a volunteer from the local legal community, is an adult.

The juries are made up of kids who can range in age from 10-18. They hand down life-lesson sentences such as mandatory Teen Court jury duty, community service, fines and restitutions up to \$400. When sentence terms and conditions are met, the defendant walks away with a clean record.

“The most important element in Teen Court is that it’s youth driven,” says Ed Cué, a former corrections officer who runs Santa Barbara County Teen Court. Cué says history has shown that harsh sentences for even minor offenses have failed to provide the deterrent that tough-on-crime pols hoped they would—teens simply don’t think as much about the consequences of their actions.

There are around 1,400 teen courts throughout the U.S., a movement that began in earnest in the 1970s. Santa Barbara had one of California’s first, launched in 1993 by then-juvenile court Judge Thomas Adams, who was dismayed by what he was observing from the bench.



Volunteer Judge Carissa Horowitz directs the proceedings..

“I kept seeing a lot of families coming into family court,” Adams says, “and then I would see the [same] kids also before me in juvenile court, so it obviously dawned on me there’s a tie-in between those two. I figured there must be a better way of handling the minor juvenile matters.”

Although teen court programs vary in the details, all embrace the belief that kids who make dumb mistakes shouldn’t have a permanent record that will dog them through college and job applications, or in employment background checks and the like.

“You’d be surprised how many times you’re going to be vetted. It’ll come up,” says Cué, adding that although official juvenile records can be sealed, it’s not an easy process and won’t always be hidden from someone determined to find them. Teen Court aims to ensure that no juvenile record exists to begin with and that graduates who don’t re-offend can honestly say, if asked, that they haven’t been arrested or convicted.

So every Tuesday evening, after all the grown-ups have left the building, a bunch of kids take over Santa Barbara’s courtrooms. Anywhere from four to eight cases are heard every week, each lasting up to 45 minutes.

“Do you regret it?” a juror asks Anita.

Anita pauses for what seems like an eternity. Finally, she says, “I don’t regret it, but I can’t really fix it, only learn from it.”

Anita adds that while she knows she messed up, pot “is everywhere.”

But peer pressure works both ways, and teenagers seem to take the courtroom judgment of their peers seriously.

“A teenager doesn’t want to be the one that says, ‘Well, I said I’d do it to my peers and then I cheesed out and fell back and didn’t do it.’ They complete the sentences,” says Cué, adding that Teen Court boasts about a 90 percent graduation rate.

Kids serving on the jury, some as part of their own Teen Court sentences and some to fulfill their school’s community service requirements, say the experience makes a strong impression. “I think about the cases sometimes and just go, ‘It’s not worth it,’” says 16-year-old volunteer juror Ariana Dato.

Teen Court happens at warp speed compared to the traditional juvenile court system.

“By the time the person gets to [juvenile] court, they could be looking at three months to almost a year from the time of the arrest, which is crazy in kid world because they don’t even remember what they did or what happened! So we’re looking at changing months into days,” says Cué. “And I think that’s most important for the parents, because obviously there’s the crisis, and then all of a sudden that dissipates and it’s ‘My kid’s doing all right. What’s he doing in court now?’ We need to catch it right at the moment it takes place in order to create some change.”

Since its inception 20 years ago, Santa Barbara County Teen Court, including courts in Carpinteria, Lompoc, Santa Ynez and Santa Maria, has graduated 8,916 kids and counting. Recidivism rates are exceedingly low, hovering around 10 percent within the first six months, compared to 30-40 percent for those dragged through the traditional juvenile system for similar charges. Also, Teen Court costs taxpayers about \$500 per case compared to about \$5,800 to send similar cases through the juvenile court system.

“When Judge Adams first brought this concept together and presented it to the district attorney, public defender, etc., they all laughed at him, saying, ‘The teenagers are too young, too immature, how are you going to make them be responsible?’” says Cué. “And 20 years later, this is the best program that has ever hit the courts. The teenagers have risen up to it.”

When questions and cross examinations end, the jury slips into a back room to deliberate, carefully considering the facts of the case as well as Anita’s attitude, honesty, activities, life goals and family.

Fifteen minutes later, the jury files back into its box. Anita is seated at the table with her mother and sister. The same boy who first read the case summary now reads aloud the jury’s sentence, which includes two nights of Teen Court jury duty, a \$25 fine, 15 hours of community service, and classes on alcohol and drug awareness and peer relationships. Last, but not least, Anita is ordered to write a letter of apology to her mother, who, hearing this, finally smiles.