

SUMMER 2015



JUVENILE JUSTICE
COUNCIL

HOW MIGHT WE
IMPROVE THE
EXPERIENCES
AND OUTCOMES
OF YOUNG
PEOPLE IN
JUVENILE
COURT?

Mikva
Challenge

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Juvenile Justice Council

SUMMER
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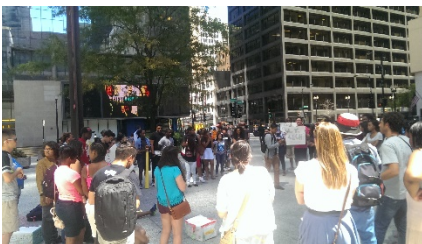
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Executive Summary

The Mikva Challenge Juvenile Justice Council (JJC) is a group of Cook County youth advocates who work to improve the juvenile justice system. This summer we focused our efforts on the court process and have created a series of recommendations that answer the following question:

How might we improve the experiences and outcomes of young people in juvenile court?

We focused largely on the concept of Procedural Justice, which promotes the idea that if the court process is fair and understood by the youth, their opinion of and compliance with their outcome will improve. We hope these recommendations will assist youth in navigating their court process and provide them with a better experience in order to improve their outcome.

We educated ourselves on multiple aspects of the court process including (a) preparation, (b) understanding the court language, and (c) the diversion programs available. Conducting our research with videos, pamphlets, documents and guest speakers we were able to form a holistic perspective of the youth's journey through the court and in turn were able to craft recommendations that are informed and relevant for the current Cook County juvenile justice system.

Each of the recommendations addresses a different aspect of the youth's journey through the court process. They aim to provide not only short term solutions to the problem, but to aid the individual in the long term as well. Our final products include ten recommendations, a checklist for court personnel, and a 3D design of juvenile courtroom and waiting room. The following are summaries of what will appear later in the report:

From a survey we created, which received over 450 responses from youth all over the city, we discovered that more than 80% of surveyors had "little to no idea" about the juvenile court process. After much exploration and analysis of alternate solutions, we created a recommendation that suggests the creation of a website and app that will explain the juvenile court process step by step, covering the moment of arrest to the final disposition hearing. According to a survey by the US National Library of Medicine 82.9% of youth were either "somewhat likely" or "very likely" to use an information-based website "if they were going through a difficult time" such as court. Based on this information and similar studies, we hope that information on the web will reach a greater amount of youth than any pamphlet will do. In terms of the amount of youth that will absorb the information of the website, we have reasoned that because a site is more interactive than any pamphlet or flyer, it will therefore become more engaging for the ever active youth.

Seeing as the Juvenile Justice System only applies to those under the age of 18 and unlikely to own a vehicle, we also looked into youth transportation methods to court. According to a survey by Mikva Challenge's Mayoral Youth Commission in 2015, 44% of respondents said the main reason they missed

school was because they “can’t afford transportation”. Our council took this to mean that most youth do not have the financial ability to get to court either. Based on the survey report, we recommended a free ride-sharing for all youth with a court date. In this way youth absence and resulting court cancellations would become less frequent. In turn the efficiency of the juvenile justice system would increase.

As a culminating project, our council worked with Latent Design to create a youth designed courtroom. According to a survey by Models for Change most youth are only able to recall a third of what they were sentenced to after their hearing, due largely to the confusing dialect used in court. Based on the same report, the template for which most judges speak to youth is written at a 12.9 grade level while the average reading level for both adults and youth is between 7th and 8th grade (Readability). In order to better prepare youth for the courtroom language, the different roles of the adults and the possible outcomes, we recommended the creation of a preparation room connected to the court waiting room. The purpose of this separate room would be to provide interactive ways to teach youth about the courtroom, including: videos, informational pamphlets, comics focused on court and vocab defining posters. Expanding on the recommendation, in order to make sure all questions are answered, a cost effective law intern should be stationed in the room. We also worked to redesign the courtroom itself, utilizing the concept of human centered design, in order to create a spatial layout that would benefit the youth. These suggestions ranged from altering the language used in court to reflect youth dialect to adding more color in order to make the room more youth friendly. The following recommendations suggest that space and architectural design can and should be used as a tool to aid the youth during their court process.

Through an extensive six weeks of research, we have compiled these recommendations to improve the current Cook County juvenile justice system. We have considered both the individual and the thousands that travel through the juvenile justice system. It must be noted one more time that we are a group of youth and therefore provide a unique perspective that will seldom be found anywhere else. We invite you to read and strongly consider what we have to say, we believe it will better the lives of youth in the system.

Sources:

Peralta, Rose, and George Yeannakis. "Innovation Brief: Judicial Colloquies: Communicating with Kids in Court." — Models for Change: Systems Reform in Juvenile Justice. Models for Change, 12 Dec. 2013. Web. 7 Aug. 2015.

2015.

Preparation

Recommendation 1

Youth should receive a free ride share (Uber/Taxi/Lyft) to and from court, to ensure that the youth won't be late or miss their court date because they do not have transportation. Court personnel provide youth with bus cards, but youth may be tempted to use the bus fare for other things that come up during the time of waiting for court, therefore providing a ride share for youth will be more useful.

Research

***Most Youth do not have the finances to travel to court

***According to a survey by Mikva Challenge's Mayoral Youth Commission Transportation Incentives Program, 44% of respondents answered "Can't afford transportation" as the reason they don't go to school.

***The popular ride share program Uber is known to donate their services, in spring 2015, as part of a Goodwill promotion, they offered free rides to those willing to donate between 10am-3pm Saturday

How will this help

Court attendance by youth has always been scattered, due largely to their inability to get to court because of their financial situation. Youth's attendance has also been known to negatively affect the court schedule and decrease the efficiency of the court. This recommendation is aimed to provide youth with a safe, easy ride to court in hopes that it will improve the youth's court experience and the court's efficiency.

Sources:

Cardenas, Edward. "Uber Offers Rides For Spring Cleaning Donations." CBS Detroit. CBS Detroit, 30 Apr. 2015. Web. 10 Aug. 2015. <<http://detroit.cbslocal.com/2015/04/30/uber-offers-rides-for-spring-cleaning-donations/>>.

Goudie, Chuck. "I-Team: Violence on CTA Widespread." ABC7 Chicago. ABC7 Chicago, 20 Feb. 2013. Web. 10 Aug. 2015.

Recommendation 2

Youth should be provided with informational pamphlets, court vocabulary defining posters, interactive videos, and court specialists before they enter the courtroom. These supplemental materials could be provided in a room that youth travel through before they enter the courtroom.

Research

***Most Youth are confused by the challenging language used in court

***According to a survey by Models for Change most youth are only able to recall a third of what they were sentenced to after their hearing, due largely to the confusing dialect used in court.

***It would be strongly advised that public defenders, prosecutors and judges went through the room and to adjust the language they use in court to reflect the preparation rooms.

How will this help

As most youth's time in court causes their experience to worsen, due to their confusion of proceedings, the preparation room would act as a place where youth and their family can receive a tutorial of court proceedings.

Sources:

Peralta, Rose, and George Yeannakis. "Innovation Brief: Judicial Colloquies: Communicating with Kids in Court." — Models for Change: Systems Reform in Juvenile Justice. Models for Change, 12 Dec. 2013. Web. 7 Aug. 2015.

Recommendation 3

In order to help youth better prepare for the court process, the public defender's office should visit the youth's school and/or home.

Research

***Youth who have not been through the court process already, felt that a youth should talk to their lawyer or public defender 2 to 3 times before their case.

***This could be linked to the high caseloads experienced by Cook County public defenders. The National Advisory Commission on Criminal Justice Standards and Goals set the caseload limit for a full time public defender at 200 juveniles a year, but the caseload of a Cook County public defender is 160% more than the national standard (that's 320 juveniles a year).

How will this help

This recommendation will help youth become more educated on the court process and the occurrences that happen throughout. It will also increase the amount of time public defenders spend familiarizing themselves to the youth's case and the options that are in the youth's best interest. It is suggested that by decreasing the caseload of public defenders they will have more time to understand the youth's case in order to make the court process less stressful.

Sources:

"Too Many Clients, Too Little Time: How States Are Forcing Public Defenders to Violate Their Ethical Obligations." Federal Sentencing Reporter: 91-102.

Juvenile Justice Council 2015 Survey

Language Recommendation 4

Create a web app that explains the court process step by step and also defines sentencing terms in multiple languages. The web app will simplify terms, break them into crime categories and address the possible outcomes. Some example tabs would be, "Know your rights," "Court," and "Arrest."

Research

***According to the Bluhm Legal Clinic at Northwestern, "youthful defendants may have particular difficulty understanding criminal proceedings or actively participating in the process."

***Students in Boston created a similar website and app called, "Boston Student Rights." Their success shows that a similar app about legal terms would be just as successful.

***This recommendation strongly agrees with Ayomide, a student who helped create the Boston app who said, "You can't defend yourself anywhere if you don't know the type of rights you have."

How will this help

A web app would be helpful since it is common for youth and their families to not know who to ask for information or where to get information. A web app can be accessed 24/7 and would be user-friendly. It would be very helpful to both the youth and parent/guardian before entering the court process.

Sources:

"Why Boston Students Created A 'Know Your Rights' App." *Learninglab*. N.p., 16 June 2015. Web. 10 Aug. 2015.

"Understand the Problem." , *Wrongful Convictions of Youth: Bluhm Legal Clinic, Northwestern University School of Law*. Web. 10 Aug. 2015.

<<http://www.law.northwestern.edu/legalclinic/wrongfulconvictionsyouth/understandproblem/>>.

"Case Study: Developing Judicial Colloquies." (n.d.): 9. Print.

<http://learninglab.wbur.org/2015/06/16/why-boston-students-created-a-know-your-rights-app/>

Recommendation 5

Have each calendar administer a survey online to youth who have recently been through court asking what they understood throughout the experience. Use the feedback to instruct judges on how to simplify and explain what is going on in court.

(Sample questions below):

- **Do you know the roles of that each individual played in your case?**
- **Did you feel that you were being treated fairly? Why or why not?**

Research

***According to *A Guide for Communication and Understanding in Juvenile Court*, forms and language used in the juvenile court are, "...written at a 12.9 grade reading level, using the Flesh-Kincaid reading grade level test and has a very low readability score (i.e. difficult to read and best understood by university graduates)..."

***According to the *Justice Juvenile Council Survey 2015*, 46.4% youth did not understand court language.

***Having a translator in court, like a mentor, "...can provide valuable support for students at critical points in their student life..."

How will this help

Many youth in the system don't really know what's going on due to the complicated language in courtrooms which usually leaves them blindly saying "yes" without understanding what's happening. Having a youth translator would benefit the court-involved youth because they will be more engaged before, during, and after the hearing since they now understand the language that is being used. Having an intern would decrease the amount (46.4%) of youth that don't understand the court language.

Source:

"Benefits of Peer Mentoring." Benefits of Mentoring. N.p., n.d. Web. 10 Aug. 2015.

Recommendation 6

A survey should be administered to youth that would evaluate court personnel (state's attorney, public defender, etc.) making sure they are performing their job effectively and meeting the needs of the young people in court. This survey would focus on procedural justice.

Research

***Evaluations increase performance by pinpointing the weaknesses so that they can work on them and improve their work ethic and how they handle cases. The main focus of the evaluation is to ensure that the court personnel are handling cases in a just and fair manner. It will make sure that the youth on trial have court personnel that are well versed in all aspects of their case such as fair sentencing, alternatives to jail, etc.

***Evaluations are important to make sure youth have a fair experience in court. Having an evaluation would provide "unlimited potential for improving services. It can help to clarify and develop the kinds of services that recipients need. It also can help to identify and/or adjust services that are not being delivered to more effectively serve the appropriate people."

How will this help

This would help the youth as it would ensure that the court personnel are performing their job fairly and adequately at all times. The youth after completing the evaluation, will be assured that their case mattered to the government and will have a greater opinion of their experience and outcome in court. The youth will feel that they have a "voice" in the court that will be transmitted through the evaluation they complete.

Sources:

"Diversion | LawFacts." *Diversion | LawFacts*. Law Facts. Web. 10 Aug. 2015.
<<http://lawfacts.ca/criminal/diversion>>.

1, Chapter. "Making the Case for Program Evaluation." *Making the Case for Program Evaluation* (n.d.): n. pag. Web. 10 Aug. 2015.

Diversion

Recommendation 7

Redeploy Illinois should be adopted in Cook County. Redeploy Illinois is a program that provides programs for high-risk youth to prevent them from entering the juvenile justice system.

Research

***Redeploy Illinois has been implemented in Macon County, Peoria County, St. Clair County, Lee County, McLean County, and Madison County. As of 2012, each county saved at least \$1 million since starting Redeploy Illinois.

***Together, the six counties have saved \$59,632,711.

***These savings come from keeping youth out of a JTDC and putting them into diversion programs, which is much less expensive. On average, it costs \$31,000 a year to imprison someone, yet it costs \$350- \$450 to put someone through a diversion program.

***It has also saved Illinois taxpayers \$11.7 million.

***Currently, in the counties it exists in, Redeploy has 54% less youth being incarcerated (out of those who were eligible to be incarcerated).

***In tangible numbers, each county saved 40 youth from being sent to a JTDC through Redeploy Illinois

How will this help

Redeploy Illinois should be implemented in Cook County because it will save the county money in addition to prevent youth from entering the Juvenile Temporary Detention Center. This benefits both the county and the youth, which is rare to find in a program.

Sources:

"Readability - Clear Language Group." *Clear Language Group*. Readability. Web. 10 Aug. 2015.

"Redeploy Illinois." *DHS*. Illinois Department of Human Services. Web. 10 Aug. 2015.

Redeploy Illinois: Annual Report to the Governor and the General Assembly (2012-2013)

Recommendation 8

All diversion programs, should upon a youth's completion, dismiss all charges against the youth and provide other incentives. Youth should receive school credits in diversion programs like Jumpstart. Jumpstart is a program for youth that are on probation to refocus them on their education.

Research

*****Research has shown that students who miss or fail academic courses are at greater risk of dropping out of school than their peers. To re-engage these students researchers recommend that schools provide extra academic support (Dynarski et al., 2008). Data reported by schools suggests that credit-recovery programs may have positive effects on earning credits toward graduation, attendance rates, and passing rates on state standardized tests.**

How will this help

Youth should receive credit from diversion programs because it would not only motivated them to attend, but also be beneficial for their academic, employment and rehabilitation success. The credit from diversion programs should be implemented because it would be a way that the youth could interact with other youths.

"The Jumpstart program kept me educated until I got back into school. If I would've received credits for school while in the Jumpstart program I probably would've graduated sooner."

-Hardie Fleming, Current Member of the JJC

Recommendation 9

There should be an increased number of diversion programs in neighborhoods that have high instances of youth arrests.

Research

***Generally speaking, completing diversion means that you won't have a criminal record, either because the charge is withdrawn, or because the one-year period has passed without incident after your charge has been stayed.

***Avoiding a possible criminal record is often the main reason why accused persons choose to complete diversion.

***In 2012, there were about 46,800 juvenile arrests in Illinois. The majority of arrests were for misdemeanor offenses (59%) and twenty-five (25%) were felonies.

How will this help

Incentives and Accessibility for Diversion Programs should be implemented because it would give the youth a reason to come and successfully complete the program. Also, the youth would not have to travel for to come to the diversion program so that might increase attendance.

Sources:

Kaba, Mariame. "Juvenile Justice in Illinois : A Data Snapshot." 1 Apr. 2014. Web. 10 Aug. 2015.
<https://chiyouthjustice.files.wordpress.com/2014/04/juvenile_justice_in_illinois.pdf>.

"Diversion | LawFacts." *Diversion | LawFacts*. Law Facts. Web. 10 Aug. 2015.
<<http://lawfacts.ca/criminal/diversion>>.

Recommendation 10

Since courtrooms are already separated by district, juvenile court should be held at a facility near the youth's police district. By moving the calendar closer to the youth, it would make it easier for them to attend.

Research

***According to a survey by Mikva Challenge's Mayoral Youth Commission Transportation Incentives Program, 44% of respondents answered "Can't afford transportation" as the reason they don't go to school.

***County of Los Angeles has mentioned that in the state that some youth have trouble going to their court hearings so they provide transportation for those who need it.

How will this help

This request would make it easier for the youth as it decreases the amount of transportation from their current destination to the courtroom. Youth will be more likely to come to court if it is more accessible to get to. Furthermore, it will help increase the amount of information passed about the youth between the police and the court. The better communication will ensure that the sentence is fair because everything about the youth has been fully considered.

Sources:

Goudie, Chuck. "I-Team: Violence on CTA Widespread." ABC7 Chicago. ABC7 Chicago, 20 Feb. 2013. Web. 10 Aug. 2015.

http://policy.dcfslacounty.gov/content/Transportation_Requests.htm