



Nolan Costa, 12, left, and Alex Gibbs, 14, sit in a courtroom at the Theodore Bruno Juvenile Justice Center where they and other student volunteers participate in Teen Court. PHOTOS BY BEN TWINGLEY/BTWINGLEY@PNJ.COM

Teen Court delivers law and order

A jury of peers in Escambia County can sometimes be seven children

By Michael Scott Davidson
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In the juvenile justice system, some first-time offenses can be adjudicated by peers. In Escambia County, the volunteer teenagers who prosecute and sentence these minor infractions are members of a volunteer squad known as the Teen Court. These are their stories.

**Theodore Bruno Juvenile Justice Center
Escambia County
Tuesday, 4:55 p.m.**

The seventh-grade student sitting in the witness stand of Courtroom One didn't look like a criminal, nor did she feel like one. In her words, she only hit

the girl on the bus because two girls attacked her friend.

Years ago, the fight would have probably warranted discipline from only school administration and her parents. Today, the punch landed the juvenile offender a court date. The Escambia County Sheriff's Office charged her with simple battery, a first-degree misdemeanor that can carry a maximum sentence of one year in jail and a \$1,000 fine for adults.

But instead of facing incarceration and a criminal record in the regular juvenile justice system, the defendant was trying to justify her crime to a



Isaac Marquez, 17, and other volunteers — a judge and adult coaches — conduct hearings for teens charged with misdemeanors.

Court

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jury panel of her peers in Escambia County Teen Court, a diversion program for first-time criminals between the ages of 12 and 17.

Although she already admitted her guilt to enter the program, the seventh-grader was not remorseful.

She maintained eye contact with the seven members of Jury One during their questioning. The teens fired questions at her from behind the plaintiff's table, a copy of her arrest report in each of their hands.

Was this your first fight? they asked.

Yes.

Did you hit one or two people?

Only one.

Was the girl younger or older than her?

Younger.

Was it worth it?

Yeah.

Would you do it again?

Not on the bus.

And then the question came, not from a juror but a college-aged case manager: Was the defendant sorry she punched the girl, or sorry that she had been caught?

"I don't feel bad. I don't regret what I did," she said. "The only thing I regret is fighting on the bus."

Soon, her panel hearing was over and another seventh-grader, a boy this time, was on trial.

A new jury questioned him about a second-degree trespassing misdemeanor he received for being on school grounds while suspended. An adult convicted of the same crime can face a maximum sentence of a \$500 fine or 60 days in jail.

In the span of 30 minutes, both cases had been heard. The jurors left Courtroom One, only to return once they had decided their peers' fates.

Second chance

Teen Court Coordinator's Chambers Juvenile Justice Center Escambia County

For almost a decade, Mary Ann Johansen has been a firm believer in Teen Court's alternative punishment for juvenile first-time offenders.

The former Escambia County Teen Court volunteer and current county program coordinator said that despite participants having to admit guilt to their crimes to be eligible for Teen Court, the State Attorney dismisses their cases and expunges their charges after completing the program.

Prosecuted crimes range from criminal mischief and trespassing to battery, petit theft and possession of alcohol. Some charges tried by Teen Court, such as possession of marijuana, could mean imprisonment for an adult.

"A lot of kids do make these kinds of mistakes," Johansen said. "(Teen Court) is a really great opportunity that we have to allow them to have that second chance where they're not automatically facing a record that may follow them for the rest of their lives."

If the teen fails to complete the court's sanctions, or is arrested for another violation, the State Attorney may file formal charges and bring the case to court. But that doesn't happen very often. In 2012, the program saw a 90 percent success rate of the total 226 juveniles who completed it.

Although Escambia County's Teen Court was founded in the early 1990s by now retired Judge William P. White Jr., the program didn't really take off until 1996. That's when legislation was passed allowing court fees assessed on criminal and traffic offenses to fund Teen Courts throughout Florida.

Now, the county's Teen Court serves an average of 300 juveniles every year.

In addition to admitting their guilt, to be eligible for Teen Court a delinquent must waive their right to a speedy trial and voluntarily agree to cooperate with the program. Participants also are assessed for mental health and substance abuse concerns, and referred to counseling or other services, as needed.

The Teen Court process begins with a defendant's trial. Most cases are heard at a panel hearing, but once a month, several mock trials by jury are run.

On those nights, teens



Isaac Maquez, 17, reads a verdict next to Mary Ann Johansen, teen court coordinator, during Teen Court. Teen volunteers, a judge and adult volunteer coaches conduct court hearings for teens who are charged with misdemeanors. BEN TWINGLEY/BTWINGLEY@PNJ.COM

run the show from swearing in to sentencing, volunteering as attorneys, bailiffs, clerks and jurors. Volunteers are sworn to an oath of secrecy about the court's events at the start of each trial.

Rather than try to assert whether a teen was guilty of their crime, attorney's focus on convincing jurors how severe a punishment an offender deserves.

The trials, which last about 15 minutes each, not only keep teens accountable for their behavior, but also teach them about laws and the justice system.

All sentences require community service, restitution and an additional requirement, ranging from apology letters to civic projects.

But the most important requirement, Johansen said, is serving the required Teen Court jury duty that is a part of every sentence. When the teens must sentence one of their peers, they gain a new perspective about their own actions.

Janet Gilbert, senior deputy court administrator who looks over Teen Court, said the mandatory jury duty educates and assimilates teens with society's guidelines.

"They have to be accountable for their behavior. Laws are only larger rules, and we live in a society of rules," she said. "That's a basic premise of changing their thinking about that. You are re-

sponsible. You have to be the one who suffers the consequences of your actions."

The verdicts

Courtroom One, Juvenile Justice Center Escambia County Tuesday, 5:40 p.m.

A boy in a dark navy suit, red tie and black-rimmed glasses read Jury One's disposition from the courtroom lectern.

It didn't take long for the seven jurors to decide that 40 hours of community service, five jury duty sessions, one apology letter to her mother and a tour of the Escambia County Jail would be fitting punishment for the unrepentant seventh-grader who punched her schoolmate.

Meanwhile, the boy who had trespassed on school grounds was sentenced to 20 hours of community service, four jury duty sessions and an apology letter to his principal. The boy also had to apologize to his mother, who was present in the courtroom.

"I'm sorry I went to

school when I wasn't supposed to. I knew better," he told her, arms behind his back and his gaze shifting between her and the floor. "I'm also sorry that I made you waste your time to be in court with me."

The defendants who left Courtroom One on Tuesday were just beginning the Teen Court experience, said 17-year-old Teen Court volunteer Isaac Marquez. Since he began volunteering with Teen Court during his freshman year, Marquez said he has seen many teens realize the consequences of breaking the law and change after going through the system.

"I'd say they are ... wiser and a lot more aware," he said.

Still, he said, a sentence of community service isn't enough for some teen defendants.

"Sometimes, you get kids that honestly don't care," he said. "That's when you have to step up and say, 'Service hours? I don't think that's going to do it for this kid. I think he needs to go to the jail and see how life is there.'"

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