

A court of their own



PHOTO BY WES MORROW

Prosecution advocates Morgan Graziani and Kes Osborne look on as judge Kayla Rivera-Hoskinson addresses the youth court last week.

By WES MORROW

Central Kitsap Reporter Reporter

FEBRUARY 21, 2013 · UPDATED 11:46 AM

In Washington state, juvenile offenders don't have the right to a trial by a jury of their peers. Even if they did have the right to a jury trial, the middle-aged men and women constituting that jury would hardly be a 16 year old's peers.

Juvenile offenses are typically ruled over by a judge, but some adolescents in Kitsap County are offered a rare opportunity, a trial by a jury of their fellow teenagers.

One evening a month, high-school and junior-high students from around Kitsap County gather at the juvenile court house in Port Orchard to experience the different roles of the judicial system. The system is known as youth court.

Kitsap County Youth Court is a diversion program for first time juvenile offenders, acting as a substitute for the regular sentencing process. Juvenile probation officer Pam Martin decides which cases would work well in youth court and then approaches adolescent offenders about the opportunity.

The scope of youth court is limited to misdemeanors like possessing alcohol or drugs, and all defendants are given the option to go through a regular court appearance.

As a diversion program, youth court juries do not make convictions. Defendants must admit guilt prior to appearing in youth court.

All the jury decides is what sort of punishment the defendant will receive. The jury cannot send anyone to jail. There are limits for each category of crime handled in youth court.

The most common forms of punishment handed down in the youth court program are community service, essays and oral or written apologies.

“They’re not convictions,” said Todd Dowell. “They’re basically contracts ... between the court and the defendant.”

Dowell is a senior deputy prosecutor for Kitsap County’s juvenile division. He spends his work days in the same courtroom occupied once a month by youth court. He volunteers as an advocate for the students acting as prosecuting attorneys.

Student volunteers in the youth court program can serve a number of different roles. First time volunteers usually sit on the jury, while more veteran students can act as prosecuting and defending attorneys, bailiff, clerk and finally, judge.

Kayla Rivera-Hoskinson, a sophomore at Olympic High School, acted as judge for the second case last week. She said she was drawn to youth court in part because she wants to be a lawyer.

Youth court gives her a unique chance to see things from the inside, Rivera-Hoskinson said: “to experience the cases, to be able to talk to the people who are on trial, to be able to see how they feel.”

Mark Randolph, a juvenile public defender, occasionally volunteers as an advocate for the youth court defense counselors. He often finds himself in the courtroom across the aisle from prosecutor Dowell, both in the diversion program and in traditional court.

Randolph said he is constantly learning from the students who volunteer at youth court. After working as a juvenile public defender for 15 years, he can usually tell how a judge will respond to certain cases. But there are times, he said, where the youth court jurors surprise him with their perspective.

“I’ve done thousands of cases out here, and I’ve got a pretty good idea how a judge might respond to a particular case, but that doesn’t mean that’s how those kids are going to respond,” Randolph said. “They pick up on things I don’t pick up on.”

Randolph said he feels youth court is a good way for students to experience the criminal justice system from an outside perspective, since most kids don’t ever really see what goes on in the courtroom unless they commit an offense.

Acting as a defense attorney for troubled youth, Randolph said working with the kids in youth court is a welcome change of pace.

“It is kind of refreshing to see the kids who are trying hard and who will take the time out on a Wednesday night to come out to the court house for a couple hours.”

All students in Kitsap County are welcome to join the youth court program in Port Orchard, Martin said. Students from surrounding counties that don’t have youth court programs are also welcome.