

First-time offenders are judged by a jury of their peers.



Teen Court Rules!

Restorative justice program in Redondo Beach helps all students

By **Sherry Posnick-Goodwin** Photos by **Scott Buschman**

The 17-year-old was out with friends at a department store when she succumbed to peer pressure. She grabbed a handful of rings from the jewelry display case along with several pairs of socks, and stuffed them into her purse without paying. Upon exiting the store, she was stopped by a security guard, arrested and charged with petty theft.

NOW, A FEW MONTHS LATER, she is being judged by a jury of her peers at Redondo Union High School's Teen Court. The campus bingo room, which looks like a real courtroom, is packed with students, some of whom are called

to jury duty. Unlike real life, they don't have to wait around for hours. They immediately step up to the jury box.

This live juvenile court has been a monthly occurrence on campus for five years, thanks to Marie Botchie, a special

education teacher who serves as Teen Court coordinator.

"It's a wonderful program," says Botchie, a member of the Redondo Beach Teachers Association. "What I love the most is that it's a restorative justice program instead of a punitive one. Our goal is to take kids who have made mistakes and turn them around, so they can be a strong member of their school and community — without becoming repeat offenders."

Only first-time offenders are assigned to Teen Court. Misdemeanor cases may

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—Marie Botchie, Redondo Beach Teachers Association



▲ Marie Botchie is coordinator for Redondo Union High School's Teen Court. Behind her is LA County Superior Court Judge Eleanor Hunter, judge for the day's proceedings.



▲ Hannah Nemeth, jury foreperson and co-president of the Teen Court Club, asks the accused a question.

include vandalism, assault and battery, sexual harassment, reckless driving, and drug abuse.

The accused come from different high schools throughout the Los Angeles area and are only identified by their first name. Before proceedings begin, it must be determined that none of the jurors know the accused and vice versa.

Students serving as jurors ask questions of the accused, deliberate to determine guilt or innocence, and make sentencing recommendations. Jurors have found students innocent on occasion. For example, a student was accused of battery for placing a hot metal object on another student at a party, but when jurors learned it was a game and no coercion was involved, they found him not guilty.

To get a fuller picture of the accused, jurors can ask about their grades, whether they abuse drugs, their plans

for the future, and hobbies or sports they enjoy.

Often, they will recommend community service aligned with the offender's interests, such as working in an after-school art program if they enjoy art or receiving mentoring in a subject they are interested in for a career.

“The goal is to get student offenders involved in positive activities instead of taking things away from them,” says Botchie. “We want to add good things to their lives.”

Botchie created a training program for Teen Court participants at her school, who can fulfill requirements for government class or community service through participation. She estimates that 500 students per year are involved in the proceedings. Botchie also sponsors a Teen Court Club.

“The kids love it,” she says. “There is no place else where kids who aren't old

enough to vote can be so involved in government. And these are not mock trial cases; they are real. These jurors live very similar lives to the accused. It's the truest jury of peers you can ever imagine.”

There is always a judge to oversee proceedings, who in this case is Los Angeles County Superior Court Judge Eleanor Hunter. She bangs the gavel three times to let students know court is in session, assigns students in the audience to be jurors, and swears them in. The bailiffs, members of the school's Junior Reserve Officers' Training Corps (JROTC), escort the accused into the courtroom, along with their parent or guardian.

The accused in this case is accompanied by her mother, who hands her daughter a tissue to wipe away tears while the girl answers questions about events leading to her arrest.

She readily admits that she is indeed guilty of stealing the rings





The student audience awaits the start of Teen Court.

and socks, which she planned to give as birthday gifts to a friend. She reveals that she gets A's and B's, except in math, which she currently has a D in. She tearfully explains that her new friends pressured her to shoplift, and she has never been in trouble before.

Her mother tells the courtroom that she did not approve of these friends and felt they were troublemakers, but hoped her daughter's good influence would rub off on them. When a juror asks what consequences were given, she replies that her daughter is grounded for several months.

In reply to jurors' questions, the accused shares that her mother is her best friend, and she is sorry for disappointing her. She says that she enjoys playing on her school's softball team, hopes to go to college, and wants to become a nurse.

Jurors are surprised to learn the accused participates in a Teen Court program at her school.

"So, you knew that stealing was wrong," says a juror, and the girl nods ashamedly.

Next, it's time for deliberations, and the JROTC bailiffs escort the jury to a classroom, where they must decide the fate of the teen, who has pled guilty. The

judge instructs them to make decisions based on evidence and not let sympathy influence what they choose in the way of remediation.

The 12 jurors vote to recommend six months' probation, 30 hours of community service, staying away from the friends who pressured her to steal, writing a letter of apology to the store owner, and participating in a mentorship program for future nurses. She must also maintain her grades and continue with math tutoring.

Jurors return to the courtroom and report their recommendations to the judge, who agrees and decides to add a curfew during the probation period. The judge reminds the accused that she is only a few months away from turning 18, and the few months' difference could have meant jail time.

"Life is full of pressure, and you have to be your own person, or you will find yourself back where you are now," says the judge. "No more stealing. No more lying to Mom. No more sneaky stuff."

Afterward, the Teen Court Club debriefs the session. They are surprised to learn the offender's mother thought they were much too tough on her daughter. They say they believe they

acted fairly, compassionately, and in the student's best interest.

"I love Teen Court," says Hannah Nemeth, co-president of the club. "It's an amazing program. We work with minors who commit real crimes, who could potentially go to juvenile hall, and we are giving them a second chance."

Co-President Sergio Godinez says he feels empowered by participating in the democratic process. "Usually all we hear is 'Wait until you are old enough to vote,' but this lets us make changes now within our local community."

Botchie is proud of the critical thinking, empathy and good decision-making she has witnessed in participants over the years, and notes that the recidivism rate for offenders is low. Of all the teens tried in 47 Teen Courts in Los Angeles County, only 5 percent commit another crime before turning 18.

"We have no way to track them after that, but we often hear from their probation officer that they have finished probation, are back on track at school and generally doing well," says Botchie. "Sometimes we hear they are attending college. I absolutely believe we are making a difference." ■