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KEIR BRADFORD-GREY
CHIEF DEFENDER

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Sally M. Keaveney
Chief of Staff
Senator Lawrence M. Farnese, Jr.
543 Main Capitol Building
Harrisburg, PA 17120

Good afternoon,

My Name is Keir Bradford-Grey and I am here today to share testimony in support of youth courts.

Working as a lawyer over the years I have seen the dramatic shift in the mindset of the juvenile justice system from one of pure rehabilitation, where the thought was that youth were less mature and less culpable than adults, to a system with a more punitive response to youth behavior with severe collateral consequences that can stay on a youth's record the rest of their lives.

This shift did not happen overnight.

In the 1990s, policy makers began trying to crack down on behavior in schools. What started as an attempt to prevent violence soon ballooned into an atmosphere of fear and punishment. Children were being expelled from school for minor incidents, which would leave children with fewer options and increase the likelihood of making matters worse.

We all know that children make mistakes. We also know that children can learn from those mistakes, when we have developmentally appropriate responses to youth behavior that aim to keep kids in school.

Youth Courts offer the school and the students alternatives to address behavior in a prosocial and proactive way. They not only address the student's behavior, but allow other youth to participate in the solution. As a result, everyone involved has agency and ownership of the outcome, and the youth involved feel fairly treated.

Youth court resolutions are more rooted in common sense and practical understanding than the one-size fits all approaches of the past. When one student explores his or her behavior in a youth court setting, other students share an understanding of what triggered those actions as they too have shared similar emotions and demonstrated similar responses. With such an understanding, youth are able to craft solutions that help address the underlying issues that caused the behavior. Most children who come before the youth court are willing to follow through with the disposition because they felt like they had an opportunity to be heard, they were treated fairly, and felt that the disposition was proportionate to the action. In other words, process and fairness matter. Zero tolerance not only prescribed an outcome, but did away with any chance to explain or be heard.

Addressing behavior in a setting that is less formal brings about better results. Students are more open to exploring their behavior with their peers as opposed to a judge. Students give more explanations and are more thoughtful in explaining and exploring why they engaged in certain behavior when speaking to their peers. This can teach the valuable skills of reflection and self-awareness that are vital to the ability of young adults to control their behavior.

After a youth court explores the actions, they then explore who was harmed by the student's actions (many times this line of questioning led to children understanding how many others outside of the intended person were affected by the act). The youth court then determines an appropriate resolution so that all parties are made whole. I have witnessed youth who come before the youth court become more accountable for their actions through this process than I ever did practicing in juvenile court. Youth in the justice system rarely give explanation to the court that will be helpful in understanding who the youth is and why they engaged in the behavior. The environment is not conducive to exploring and admitting how their actions harmed others. In fact, many of the youth who come into court for low level minor offense feel like they were treated unfairly by the very fact that they wound up in Court in the first place. They never saw their actions rising to the level of criminal sanctions and as a result they are left feeling more like the victim.

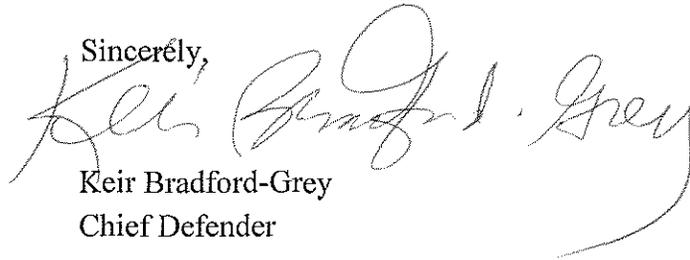
Not only do youth courts help to provide students with more meaningful resolutions to behavior, it also enhances participants' understandings of justice. When we began teaching this class to students in Norristown High, we would give scenarios of general criminal behavior and asked them what the appropriate resolution would be. The youth immediately gravitated to the most punitive response. They were OK with saying someone should go to jail for minor offenses, they were very unforgiving and intolerant of the behavior of others. It was clear that it became their norm to use jail to address behavior. However, as the class went on and we explored youth behavior that was similar to the actions of their classmates, students became much more empathetic and actively sought more restorative and balanced responses. The best part was the transformation in their thoughts about crime and punishment. Through this exercise they learned that there were more creative options than reacting out of anger to negative behavior, and that these alternatives had better outcomes for all involved.

Students also learned a great deal about responsibility. Serving on the youth court allowed them to participate in an exercise that taught them about law. They didn't just learn the rule of law, but they explored practical dilemmas and learned more about citizenship. They improved their public speaking skills and methods for mediation. Most of all they were able to find mentors through our work with them and Villanova law students

The teachers appreciated youth court as it gave them options to address behavior. Many felt that the youth court helped the youth understand the teacher's point of view far better than a suspension would. One teacher wrote a letter about the amazing results that youth court had and how the student's apology and public acknowledgement of his behavior allowed his class to have a dialogue that they had never had before. This not only improved the relationship between members of the class, but helped the teacher better understand his students.

Youth courts provide enormous benefits to all involved, and have a ripple effect to positively impact the school, families, and the community. As we work to build a more just and sustainable city, I expect youth courts will remain as an important part of our future.

Sincerely,

A handwritten signature in cursive script that reads "Keir Bradford-Grey". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Keir Bradford-Grey
Chief Defender