

# Bethlehem Youth Court

## 2018 Annual Report

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**The power of positive peer pressure.**  
*Utilizing peer-led sentencing hearings  
to give youth a second chance.*

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## Board of Directors

### Co-Chairpersons

Theresa L. Egan

Thomas Spina Jr., *Assistant U.S. Attorney*

### Secretary

Michael Whiteley, *Detective, Bethlehem Police Department*

### Treasurer

Maureen McLeod, PhD, *Sage Colleges Professor Emerita*

### Ex-Officio Member

Hon. David VanLuven, *Bethlehem Town Supervisor*

### Members

Maureen Cunningham, *Bethlehem Town Board Member*

Adam Katz, *Assistant U.S. Attorney*

Nancy Maurer, *Director, Field Placement Programs, Albany Law School*

Jennifer Miller, *Albany County Probation Retiree*

Jacqueline Munroe, *Hall Principal, Bethlehem Middle School*

Gene Primomo, *Assistant Federal Defender*

Pamela Clark Robbins, *CEO, Policy Research Associates*

Michelle Sleurs, *Senior Probation Officer, Albany County*

James Smith, *Hall Principal, Bethlehem Central High School*

### Executive Director

Katrina Charland



FIGURE 1. BETHLEHEM YOUTH COURT STUDENT VOLUNTEERS

## End of Year Report

### Introduction

Bethlehem Youth Court (BYC) is a non-profit diversion program for young people who have committed a low-level crime or offense in the Town of Bethlehem. BYC has been in continuous operation since 1996 and has diverted over 700 cases from the traditional court system through peer-led sentencing hearings. BYC serves about 30 young offenders each year and serves as a unique volunteer opportunity for over 100 student volunteers who participate as either the jurors or as trained Youth Court members.

### Offender Statistics

The offender statistics for 2018 are remarkably consistent to those from 2017, having heard the same number of cases and the same number of charges, and once again, seeing unlawful possession of marijuana as the most common offense (33% of cases), followed by petit larceny (20%). In 2018, a total of 31 cases, which included 40 charges altogether, were handled through the Youth Court process. There was a 97% successful completion rate.

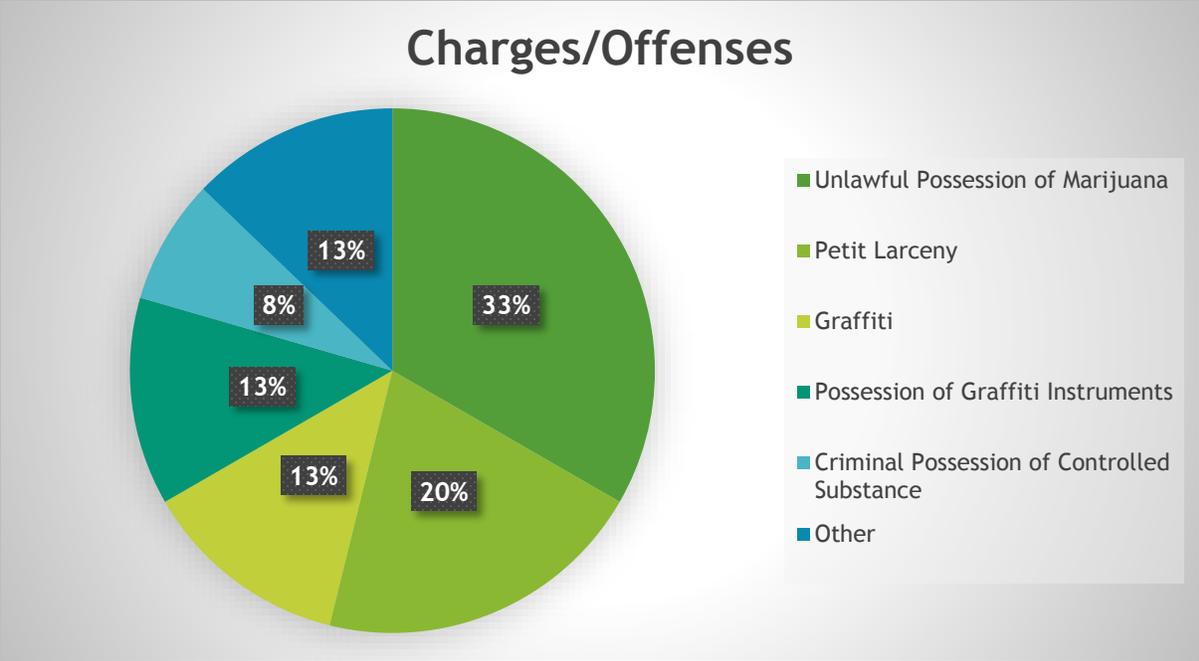


FIGURE 2. CHART OF 2018 CHARGES/OFFENSES

One unique trend seen in 2018 was the number of graffiti and possession of graffiti instruments cases, having heard 5 cases for these offenses. All 5 cases stemmed from incidents on the newly renovated Rail Trail. BYC aims to restore community attachments and confidence among youth through restorative justice practices. The young people who participated in the graffiti incidents all took part in community service projects that directly benefitted the Town, specifically assisting with clean-up projects with the Mohawk Hudson Land Conservancy, working in the Bethlehem Middle School garden, and assisting with the Police Department’s annual National Night Out event.

Another offense on the rise was criminal possession of controlled substances, which is a misdemeanor-level offense. With the increased use of concentrated cannabis, especially through vape devices, this has become more of an issue in recent years, especially in schools. BYC modified our by-laws a few years ago to enable us to take these cases, which further demonstrates our emphasis on adapting to ever-changing community needs.

There was a slight decrease in the percentage of females who came through the program in 2018 (35%) compared to 2017 (39%). Males continue to comprise the majority of youth served by the program.

The average age of offenders in 2018 was 16 years old, which is down slightly from the 3 previous years’ data, which maintained an average age of 17 years old.

**Raise the Age**

There was a major change in legislation that occurred in 2018 called “Raise the Age,” which went into effect in October. As of October 1, 2018, 16-year-olds who commit a misdemeanor are now considered a juvenile delinquent. This will extend to 17-year-olds as of October 1, 2019. Prior to this legislative shift, New York was one of just two states in the country, the other being North Carolina, in which youths age 16 and 17 were considered adults and were processed in criminal court.

We do not expect this new legislation to impact the way our program operates, as we have procedures in place to accept direct referrals from the Bethlehem Police Department for juveniles. If anything, this new legislation expands our bypass process (the Direct Referral Program) to those who are now 16 years old, and as of October 2019, to 17-year-olds as well. The legislation did not change the process for 16-year-olds who commit lower-level violations, so those cases would normally continue to enter adult criminal court prior to Youth Court. However, we are in the process of including that demographic in the Direct Referral Program as well, which will streamline the process and ensure that all 16-year-olds (and 17-year-olds in October 2019), regardless of offense level, have the opportunity to benefit from Youth Court. This process also helps alleviate the overburdened court caseloads.

### Community Service

Community service is an integral part of the restorative process. Not only does it help hold youth accountable for their actions in a positive, constructive way, but it also shows the community that young people who have made a mistake can help repair the harm done through giving back.

A total of 1,678 hours of community service were performed through the auspices of BYC in 2018. Of those hours, 583 were sentenced and performed by young respondents going through the program. The remaining hours were performed by volunteers, such as the trained youth court members, jurors, attorney mentors, intern, and other adult volunteers.

The average number of community service hours sentenced was 18.8 hours, which was down slightly from 2017 when the average was 20.5 hours. Community service was performed at a variety of sites, mostly in the Town of Bethlehem. The complete list of service sites is located at the end of this report.

### Adult Volunteers

BYC would like to acknowledge the assistance of summer intern Jacob Sheingold, a junior at SUNY Oswego. Jacob also assisted while he was home on winter break. His eagerness to help and supervise community service projects was a tremendous help.

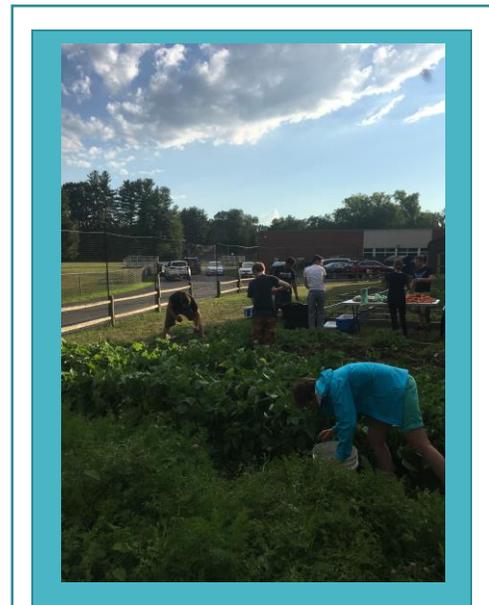


FIGURE 3. BYC AND BCMS GARDEN CLUB MEMBERS WORKING IN THE GARDEN. PHOTO CREDIT: MARK WARFORD

Kelly Hart, a local Federal Probation Officer, also joined the volunteer team in 2018 as a Jury Coordinator. Kelly attends Youth Court hearings and assists with jurors, making sure they know where to go, are all signed in, and have no conflicts of interest. Kelly does not actually oversee any of the jury deliberations, as that is the job of the Jury Foreperson. However, having another adult assist with the jury sign-in process frees the Director to assist other Youth Court members with questions and preparation before a hearing begins. This has been a wonderful improvement to the hearing process.

## Members

In May, BYC hosted its annual induction ceremony, during which a total of 24 newly trained members were sworn in by Judge Donovan. The high-school-aged volunteers were honored for completing a 6-week, 20-hour seat time training that prepares them to perform all courtroom roles. During the induction ceremony, BYC held the Judge Jordan Memorial Scholarship, which is a presentation-style scholarship that showcases senior Youth Court members' public speaking and advocacy skills. This scholarship has been made possible through funding from the Police Benevolent Association and the Bethlehem Police Supervisor's Association. The first place winner this year was Saika Suzuki and the second place winner was Ryan Fisk.



FIGURE 4. LEFT TO RIGHT: SAIKA SUZUKI, RYAN FISK, AND OFFICER BERBEN, PRESIDENT OF THE POLICE BENEVOLENT ASSOCIATION.

Saika was also the winner of the Judge Wenger Memorial Award, which is an essay scholarship offered to all graduating BYC seniors.

## Association of New York State Youth Courts

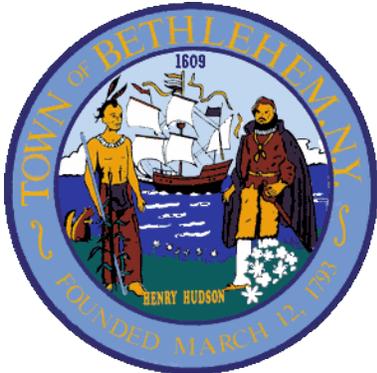
The Association of New York State Youth Courts (ANYSYC) went through a change in leadership in 2018, with the new President now being Katherine Chambers from Warren County. The Director of BYC continues to be an active member of the association and serves as the secretary. In December, ANYSYC hosted a statewide Youth Symposium in Lake George. It was very well received and attracted attendees from all across NYS. BYC attended with five members as well as parent/board member, Michelle Sleurs. One of our volunteers, Liam Karl, also served as a Youth Ambassador on the planning committee. His contributions to the event are appreciated!

## BYC Board Members

Board Member and past President of the Bethlehem Chamber of Commerce, Jennifer Kilcoyne, resigned in August of 2018 upon her acceptance of a new position and departure from the Chamber. Her years of service on our board are appreciated and she will be missed. We wish her all the best in her future endeavors.

## Financial

BYC was the recipient of two grants in 2018: The New York Bar Foundation Grant (\$500) and the Stewart's Holiday Match (\$1,250). The Town of Bethlehem's financial support for the program remains the most consistent and vital source of revenue. Another major contributor to the program's funding is the annual letter campaign, which goes out to local businesses and residents who have had a connection with Youth Court at some point over the years. This community appeal brought in over \$4,800 in donations in 2018. BYC extends our sincere thanks to those who continue to support this program.



## Comprehensive Offender Statistics

Provided here is the past 5 years' data. Previous years' data available upon request.

	2014	2015	2016	2017	2018	Breakdown
Total # of cases	25	12	21	31	31	120 (Total)
% of successful cases	92%	100%	100%	97%	97%	97% (Average)
Total # of community service hours sentenced	708.5	240	381	636	583	2548.5 (Total)
Total # of community service hours performed by program	1571.5	785	1031	1632	1678	6697.5 (Total)
Average # of hours sentenced per offender	28	20	18	20.5	18.8	21.06 (Average)
Average age of offender	15.6	17	17	17	16	16.52 (Average)
% Males	76%	75%	76%	61%	65%	71% (Average)
% Females	24%	25%	24%	39%	35%	29% (Average)
\$ Restitution Paid	\$0	\$0	\$160	\$45	\$0	\$205 (Total)
Apology letters written	7	1	4	7	4	23 (Total)
Educational classes sentenced	10	3	4	14	10	41 (Total)
# of offenders who signed up as volunteers	1	1	2	0	1	5 (Total)
Most common charge	UPM (16%)/ Petit Larceny (16%)	UPM (39%)	UPM (41%)	UPM (27.5%)	UPM (33%)	
Second most common charge	Reckless Endangerment 2nd (8%); Harassment (8%); Endangering the welfare of a child (8%); and Unlawful Possession of alcohol (8%)	Vehicle and Traffic Infractions (22%)	Vehicle and Traffic Infractions (32%)	Petit Larceny (15%)	Petit Larceny (20%)	

## Community Service Totals

Volunteers/Participants	Formula	Total on 31
Attorney Mentors	3hrs/case times # of cases	93
Jurors	Approx. 10 jurors per case times # of cases heard	310
Youth Court Members	4 advocates (3 hours/case), plus 1 victim advocate (2 hours/case), plus 3 other roles (1 hour/case), times # of hearings	527
SUNY Oswego Intern	Case management, community service coordinator/supervisor	150
Jury Coordinator (adult volunteer)	1 hour/case (1/2 year)	15
Offender Hours	Total hours sentenced	583
<b>Total # of Community Service Hours</b>		<b>1,678</b>

## Community Service Sites

1. Adopt-a-Highway Clean-up (BYC)
2. American Legion
3. “Anythings Service”—a group that provides service for the elderly
4. Bethlehem Town Court courtroom cleaning
5. Bishop Maginn’s Food Pantry
6. Boys and Girls Club of Albany
7. BYC Fundraiser—Returnable can drive for deposit as donation
8. BYC Law Day Event—set up and clean-up
9. Bethlehem Middle School Garden
10. Clearing fire hydrants/storm drains of snow
11. Cornell Cooperative Extension
12. Delmar Dash
13. Eggstravaganza (Town of Bethlehem)
14. Equinox
15. In Our Own Voice
16. Interfaith Partnership for the Homeless
17. Kitten Angels
18. National Night Out
19. Mohawk Hudson Land Conservancy
20. Regional Food Bank
21. Relay for Life
22. St. Peter’s Hospital—Journey Through the Body
23. St. Thomas (Parish picnic, bottle drive, Hugs Program, tombstone restoration)
24. Teal Ribbon Run/Walk
25. Tonesetter’s Step Team
26. Treasure Trove Thrift Shop (First United Methodist Church of Delmar)
27. Unity House (Troy)
28. VA Hospital

Educational classes provided: Drug and Alcohol, Peer Pressure, and Good Decision Making

