

Bethlehem Youth Court

2020 Annual Report



The power of positive peer pressure.

Utilizing a youth based restorative justice program in our community.



Contents

- Board of Directors:.....2**
- Contact Information:2**
- End of Year Report3**
 - Introduction3**
 - Pandemic- COVID-193**
 - Offender Statistics4**
 - Referrals5**
 - Community Service5**
 - Volunteer Members6**
 - Association of New York State Youth Courts (ANYSYC).....6**
 - BYC Board Members6**
 - Financial Outlook6**
- 5-Year Comprehensive Statistics7**
- Community Service Totals8**
- Community Service Sites for 20209**

Board of Directors:

Co-Chairpersons:

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

Secretary:

Sergeant Michael Whiteley, *Bethlehem Police Department*

Treasurer:

Maureen McLeod, PhD., *Sage Colleges Professor Emerita*

Ex-Officio Member:

Hon. David VanLuven, *Bethlehem Town Supervisor*

Members:

Chief Gina Cocchiara, *Chief of Bethlehem Police Department*

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, *Probation Supervisor, Albany County Probation*

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

Student Representatives

Jason Wu & Jonathan Caldwell – *BCHS class of 2019-2020*

Stacey Lee & Isabella Evangelista – *BCHS class of 2020-2021*

Director

Katrina Charland

Contact Information:

Bethlehem Youth Court
261 Elm Ave.
Delmar, NY 12054
(518) 439-4955 x1143 – office
(518) 320-2350 – mobile
byc@townofbethlehem.org
www.BethlehemYouthCourt.org

End of Year Report

Introduction

As a restorative justice based, non-profit diversion program, Bethlehem Youth Court's mission is to serve justice involved youth by providing them a second chance at a clean record through participation in peer-led sentencing hearings and to promote positive civic engagement for young volunteers. We have successfully carried out this mission for 25 years. This unique approach within the justice system focuses on the rehabilitation of offenders through reconciliation with victims and the community at large through the completion of community service and other positive sanctions.

Pandemic- COVID-19

Bethlehem Youth Court's response to the pandemic was very similar to so many other organizations. In March of 2020, most program operations slowed drastically. While all in-person activities, including hearings and training, were temporarily suspended, focus was shifted to finding unique community service opportunities midst-pandemic (more information about specific projects is reflected in the "Community Service" portion of this report).

Over the summer many outdoor, socially distanced, community service projects took place that not only involved the program participants who were required to complete hours, but also included a mixture of volunteers as well. This was a great way for them to maintain involvement, despite not being able to hold hearings yet. By the end of summer, members had participated in online trainings and were prepared to resume in-person hearings with many modifications, which began in the fall after schools re-opened.

Modifications included converting our traditional "Youth Judge Model", which utilizes a peer-jury panel comprised of 6-12 jurors as the sentencing group, to a "Tribunal Model" which instead uses a panel of 3 trained members as the judges who make the final sentence recommendation. The transition from one model to the other was quite seamless and there has been a lot of positive feedback about the Tribunal Model. While we still strive to maintain utmost professionalism (demeanor, dress code, and preparation), the tribunal model, along with our move out of the courtroom and into a conference room better suited for social distancing, has allowed for a less formal atmosphere during hearings. This has created the opportunity for more open dialogue during hearings, which has been beneficial for really getting to the root issue behind the offense.



Pandemic related precautions also include temperature checks, COVID-19 health screens, requiring face coverings at all times, open windows to allow for air movement, proper spacing between people, and sanitization of surfaces between hearings. Additionally, communication between volunteers and the Director regarding any potential risks to their participation have been impeccable.

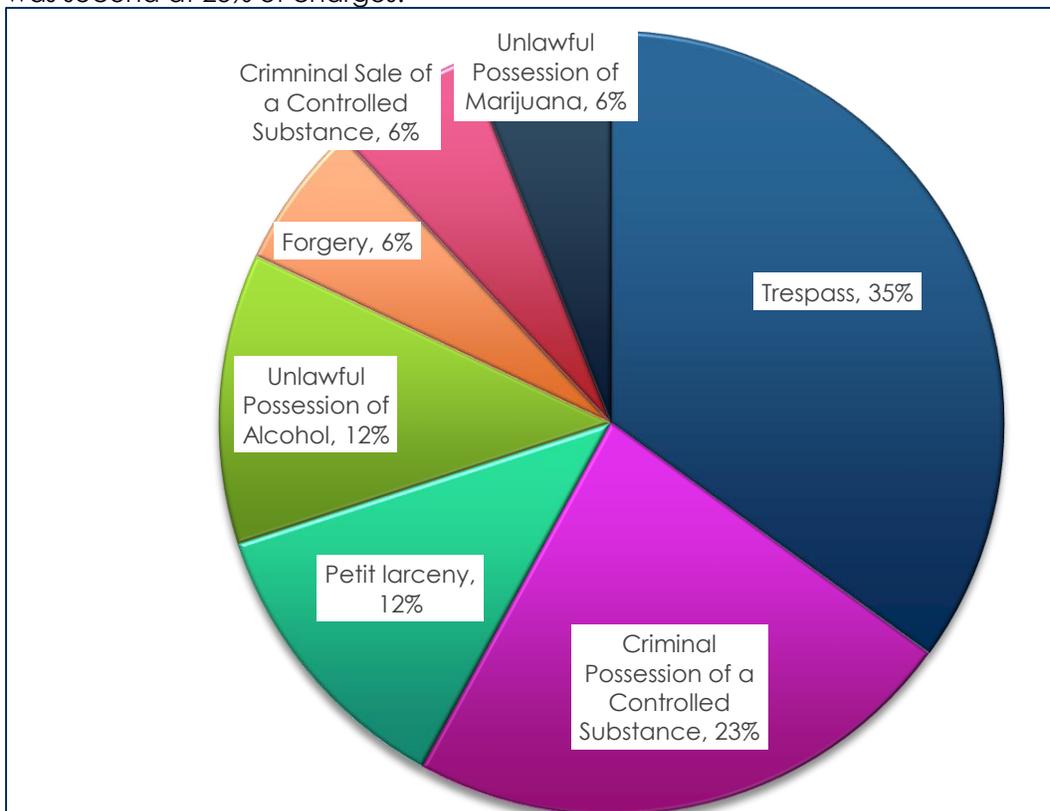
While many other criminal justice related matters moved to virtual platforms, it was ultimately decided that given the nature of our program purpose – to provide a positive intervention for at-

risk youth – virtual platforms just would not hold the same value. After surveying program participants and their parents as well as volunteers, it became quite apparent that in-person hearings with safety protocols in place was the best way to continue delivering our full range of services.

With all of the new procedures in place, BYC was able to safely resume in-person activities in the fall and by February of 2021 was completely caught up on back-logged cases. BYC's approach to resuming hearings and program operations is consistent with many other similar programs across New York State.

Offender Statistics

As was to be expected given the circumstances, the total number of cases referred to BYC in 2020 was down some from previous years, with a total of 16. One of those cases carried with it two charges, so a total of 17 charges were heard. Of those charges, trespass was the most commonly referred offense (35% of charges) and criminal possession of a controlled substance was second at 23% of charges.



It is worth noting that over the summer a few different trends contributed to the uptick in trespass charges. First, there was an increase in teen gatherings, usually in wooded areas, that caused a lot of neighborhood problems. These gatherings often involved underage drinking and property damage. One incident in particular was exceptionally out of control. Several teens identified as trespassers were referred to Youth Court for disposition. A second trend that occurred was youth climbing on the roof of the middle school. This seems to be cyclical and BYC tends to get a wave of these types of referrals every few years. It appears that in an effort to have fun, young people like to climb on roofs. However, this can be not only dangerous for themselves, but could also damage property. All of the trespass charges heard were referred directly to BYC, with no

formal charges being pressed. This is an excellent way for the community to address dangerous and illegal behavior without formal processing.

For many years unlawful possession of marijuana (UPM), a violation, had been one of the top two offenses handled by BYC. That began to change back in 2019, as UPM referrals dwindled amidst societal and prosecutorial shifts. In 2020, the second most common charge was criminal possession of a controlled substance 7th (CPCS 7th), which is a class A misdemeanor, a more serious offense than UPM. The increase in CPCS cases is a concern and something that BYC will continue to address.

Referrals

BYC continued to work closely with the Bethlehem Police Department (BPD) in 2020. Direct referrals were the main referral source for the program. This process allows cases to bypass traditional court altogether and instead they are referred directly to Youth Court. This streamlines cases, reduces unnecessary court contacts, and helps reduce overly burdened court calendars.

Community Service

Completion of community service hours was challenging in many ways in 2020 due to the pandemic. However, despite the obstacles, BYC managed to oversee a total of 430 hours of community service, which included volunteer time preparing for and performing hearings. When it came to offenders completing their hours, creativity was key. Some made homemade masks, one painted an elderly neighbor's garage door, while others put together care packages for people in need. We were able to safely perform some group projects as well, including doing highway clean-ups, trail work at the newly formed Normanskill Preserve, and assisting with a child car seat safety inspection as well as the Town's Holiday Drive Through. Over the summer, a lot of hours were put into the community garden located behind the Parks and Recreation office.



Left to right: Katrina Charland, Jennifer Miller, Gina Cocchiara, Rachel Barnes, Isabella Richards, Nicole Cintrón.

Volunteer Members

Typically, BYC hosts an annual induction ceremony for newly trained members in May of each year, however due to the cancellation of the training, this event was also cancelled in 2020. Unfortunately, that also meant that the Judge Jordan Memorial Scholarship was suspended. We were able to award our annual Judge Wenger Scholarship, which is an essay competition. The recipient was Jason Wu. He was recognized as the award winner during BCHS's virtual award ceremony, which was held in June. Jason also served as a Senior Representative on our board of directors for the 2019-2020 school year, along with Jonathan Caldwell.

Association of New York State Youth Courts (ANYSYC)

While no in-person activities took place on the state level, the ANYSYC continued to host virtual quarterly meetings throughout the year. Membership of this organization has always been an asset to the program. In 2020 it proved to be an invaluable networking resource during the pandemic. It was tremendously beneficial to connect with similar programs across the state and share ideas and hear what other programs were doing to adapt during such rapidly changing times.

BYC Board Members

Board Member Gina Cocchiara, formerly a Detective Sergeant, was promoted to Chief of Police in 2020! Her accomplishments are commendable. Her leadership began during a tumultuous time in our nation's history with social unrest and calls for criminal justice reform. As part of a statewide directive, she was responsible for beginning the Police Reform and Reinvention Collaborative Plan which addresses areas of concern and includes community input. It is an honor to have the highest rank in the Bethlehem Police Department serve on our board of directors.

Financial Outlook

BYC received a \$1,250 grant through the Stewarts Holiday Match in the spring of 2020. This community fund drive has been a wonderfully consistent source of grant funding from year to year. We also received over \$1,300 in private donations through a targeted appeal campaign. Through the CARES Act Economic Relief Plan, BYC was able to apply for a SBA PPP (Payroll Protection Program) loan in the amount of \$7,000. The loan was forgiven in full. Funding from the Town of Bethlehem remains the most consistent and vital source of revenue for the program. Continued support by the Town of Bethlehem is incredibly appreciated.



5-Year Comprehensive Statistics

Data prior to 2016 is available upon request.

	2016	2017	2018	2019	2020	Breakdown	
Total # of cases	21	31	31	25	16	Total:	124
% of successful cases	100%	97%	97%	96%	94%	Average:	97%
Total # of community service hours sentenced	381	636	583	450	219	Total:	2269
Total # of community service hours performed by program	1031	1632	1678	1275	430	Total:	6046
Average # of hours sentenced per offender	18	20.5	18.8	18	14	Average:	17.86
Average age of offender	17	17	16	15	16	Average:	16.2
% Males	76%	61%	65%	72%	60%	Average:	67%
% Females	24%	39%	35%	28%	40%	Average:	33%
\$ Restitution Paid	\$160	\$45	\$0	\$3,333	\$0	Total:	\$3,538
Apology letters written	4	7	4	12	2	Total:	29
Educational classes sentenced	4	14	10	14	3	Total:	45
# of offenders who signed up as volunteers	2	0	1	0	0	Total:	3
Most Common Charge	UPM (41%)	UPM (27.5% of cases)	UPM (33%)	Criminal Mischief (19%)	Trespass (35%)		
Second most common charge	Vehicle and Traffic Infractions (32%)	Petit Larceny (15%)	Petit Larceny (20%)	Burglary 17%	Criminal Possession of a Controlled Substance 7th (23.5%)		

Community Service Totals

Volunteers/ Participants	Formula	Total Hours based on 16 cases heard
Attorney Mentors	3hrs/case x # of cases	48
Jurors	1hr/case x 10 jurors (only 3 jury hearings held in 2020)	30
Youth Court Members	Calculations based on number of cases performed the traditional way, plus the modified way to accommodate pandemic regulations	129
Jury Coordinator (adult volunteer)	1 hour/case *Note: The Jury coordinator was not utilized in pandemic modified hearings.	4
Offender Hours	Total hours sentenced	219
Total # of Community Service Hours		430

Community Service Sites for 2020

1. Adopt-a-Highway clean-up (BYC)
2. Albany County Child Car Seat Safety Inspection
3. Altamont Fair Grounds
4. Bethlehem Children's School
5. Bethlehem Middle School – tutoring
6. BYC Fundraiser – Returnable can drive for deposit as donation
7. Fire hydrants/storm drains snow removal
8. Friends of Bethlehem Parks and Recreation – garden work
9. Individual work – making masks, painting a garage door for elderly person, yard work, raking, etc. for those in need
10. Regional Food Bank
11. Street Warriors
12. Town of Bethlehem – trail work/clean-up
13. Town of Bethlehem – Holiday Drive-Through
14. Toys for Tots

