

On the MOVE

Story by Mike Latona
Photos by Greg Francis



Facts Attorneys Michael Dennison, 16, left, and Adam Simons, 14, members of the prosecution, question a youth offender about his crime Sept. 22 in Elmira City Youth Court.



A youth offender is escorted by a parent back into the courtroom.

Order in the Youth Court

An 11-year-old boy appears in Elmira City Court Sept. 22, accused of calling 911 with a false report about an armed burglar outside his home.

That same night, three boys, ages 8, 7 and 8, charged with defacing the porch of a vacant house, also appear.

The judge, Molly O'Shea, solemnly listens to the boys' versions of both cases. During the hearings, she and her court pepper the youths with questions. Eventually, all the defendants admit their guilt.

"Are you sorry?" Molly asks one of the boys in the porch incident. He nods.

"Would you do it again?" Molly then inquires. No response.

"Answer the question: Would you do it again?" she says sharply. This time, the boy shakes his head no.

Sentences are handed down to each offender. Molly orders the 911 caller to design a poster depicting a good reason to call 911. She also orders the vandals/trespassers to make "keep off" signs and write apologies to the house's owner.

These proceedings are very similar to a normal court case, except for one key difference: Officials who decide the boys' fate are teens, not adults.

The Elmira Youth Court began in the fall of 1997. The student-operated court, held every Tuesday night, was begun through a state grant to the City of Elmira. Rick Kallenborn, Youth Court coordinator, said the program is modeled after a similar court that has run for 22 years in nearby Horseheads.

Kallenborn explained that the defendants in Youth Court are children ages 5-15 who are charged with such misdemeanor crimes as trespassing, criminal mischief, possession of stolen property and possession of fireworks. Sentences are decided by the Youth Court, and Kallenborn monitors the offenders' progress to make sure their punishments are carried out.

In many cases, Kallenborn said, defendants pay more heed to warnings from the Youth Court than from adults, whom they might tune out.

"They are embarrassed in front of their peers, and that will leave a thought in their minds (before committing future crimes)," Kallenborn said.

"They like being judged by their peers because they're getting judged by people who know them."

However, Molly noted that some defendants don't realize this is an official court when they're introduced to the court members.

"At first, they might feel it's a joke," Molly said.

Another Youth Court member, Erin Connelly, said that some youths "don't take me seriously because I'm short."

The Youth Court makes sure the smiles don't last for long, Molly said. "No one has a problem getting stern," she commented.

As a result, defendants can become so unnerved



Youth Court Law Judge Molly O'Shea, 17, sitting on City Court Judge Thomas Ramich's bench, hands down a sentence to two youthful offenders. O'Shea is a senior at Elmira Notre Dame High School.



Emily Lambert, 14, left, and Erin Connelly, 13, both law guardians for the defense, interview an offender prior to trial. Both are parishioners at Our Lady of Lourdes Church, Elmira.

that they exit the courtroom in tears.

"Usually, if they're scared, they don't talk real loud," observed Erin, who usually serves as a member of the defense team.

Adam Simons said that suspects don't always come clean about the events that landed them in Youth Court. So it's the court's job to track down the truth by questioning them at length.

"They trip over their words," said Adam, who often serves as a member of the prosecution team and substitutes as a judge.

Youth Court members prepare for their duty by attending a seven-week training session with local law officials. Many court members emerged from area Catholic schools after hearing informational talks by Kallenborn at their schools last year.

Among the 10 who convened on Sept. 22 were Molly, 17, a senior at Notre Dame High School; Emily Lambert and Adam, both 14-year-old freshmen at Notre Dame; and Erin, 13, an eighth-grader at Holy Family Junior High. All four teens are parishioners at Our Lady of Lourdes Church.

Erin said that cases vary greatly in nature, from a charge of a youth swearing at a police officer to charges of shoplifting batteries and bubble gum.

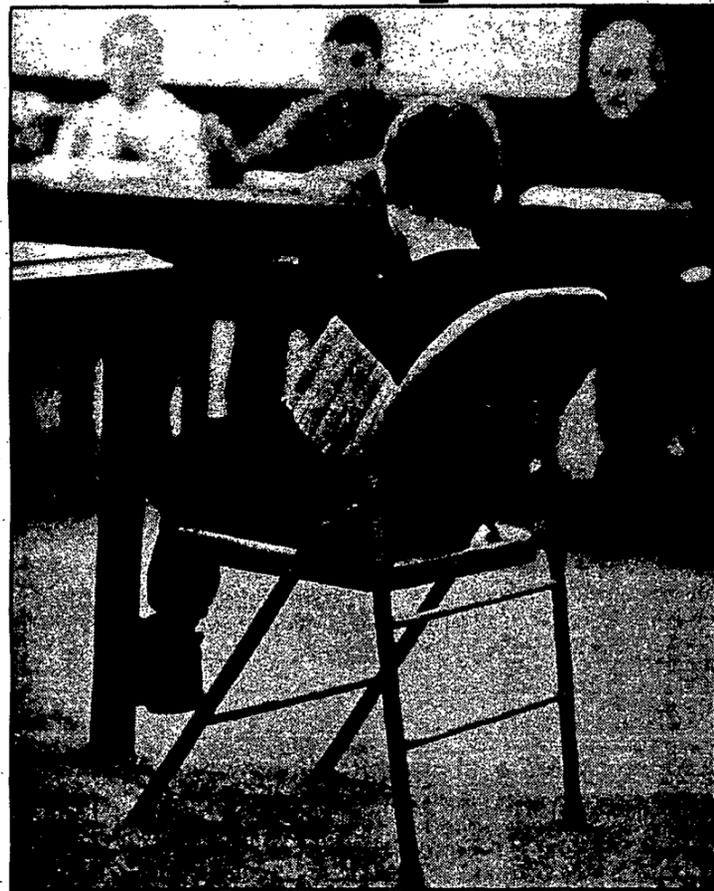
"There were certain things that were illegal that I wouldn't expect people to get arrested for—really little simple things," Erin commented.

"I was surprised at some of the stuff people did. It doesn't make any sense," Adam added.

While Youth Court appears to be an effective form of justice, it's also a good experience for the court members themselves. Molly said she might attend law school someday, and Kallenborn said that many other members are now interested in pursuing law-related careers.

"They do a real nice job, they really do. They take it very seriously," Kallenborn remarked.

Coming next week: Young Women's Issues



A defendant is questioned by the prosecution. Defendants are often asked if they are sorry for what they did, and what their grades are in school.

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